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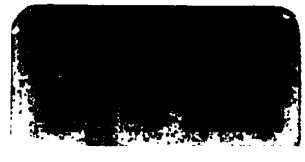

MEMOIRS

OF

JOHN QUINCY ADAMS

COMPRISING PORTIONS OF

HIS DIARY FROM 1795 TO 1848.

EDITED BY

CHARLES FRANCIS ADAMS.

VOL. VII.

PHILADELPHIA:
J. B. LIPPINCOTT & CO.
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MEMOIRS

OF

JOHN QUINCY ADAMS.

VOL. VII.—1

MEMOIRS OF JOHN QUINCY ADAMS.

CHAPTER XIV. (*Continued.*)

THE PRESIDENCY.

MAY 15th, 1825.—Chilly Mackintosh, Colonel Mackintosh, Jim Tallazan, Ben Tallazan. These four Creek Indians called on me this morning before breakfast with a letter from Governor Troup, of Georgia, and a talk sent by him to certain other Creek chiefs. The letter, which is in a style similar to that which the same personage used with Mr. Monroe, announced to me the murder of the chief called General Mackintosh, which was confirmed by Chilly, who narrowly escaped himself with his life. It was on Saturday, the 30th of last month, that a party of about four hundred surrounded and set fire to his house, and killed him and another chief, his next-door neighbor. Troup charges Crowell, the Agent, with having instigated this massacre, and vows revenge with a spirit as ferocious as ever inspired any Creek Indian.

I told Chilly that I was deeply distressed at these melancholy tidings, and would do all that would be in my power for him; advising him to call upon the Secretary of War to-morrow. I stopped myself at his house as I was going to church, and, he being gone out, left the papers, with word that I would call again after church. I again called at Governor Barbour's house, and found him at home, deeply affected at the intelligence from Georgia, thinking Governor Troup a madman, and very apprehensive of opposition.

I desired him to confer with these Indians to-morrow morning, and ascertain what they wished to have done; what disposable force may be directed to the threatened part of Georgia; and what answer should be given to Governor Troup.

16th. Watkins spoke of a letter from Mr. Clay to Mr. Hammond, of Cincinnati, Ohio, written last October, and to be published with a letter of comment by Hammond in the National Intelligencer. It states Clay's objections against voting for Mr. Crawford. I doubted the expediency of the publication at the time, believing it totally useless for Clay himself, who needs no justification with the nation at large, and who could not by any publication at this time satisfy those who are still dissatisfied. But it would be an appearance of unkindness to Mr. Crawford, who never will be a candidate again, and whom to expose now is to war with the dead.

G. Graham came, to speak of the Choctaw School Fund. Has found at the bank the papers relating to the stock standing in the name of the President for the Senecas. Mr. Monroe had given him (Graham), while acting Secretary of War, and to his successors, a power to receive and pay over the dividends. The power passed to Mr. Calhoun, as his successor, and by him was assigned to Major Vandeventer, as Chief Clerk of the Department. But part of the fund is in stock, which was redeemed last year, and, not having been re-invested, the interest upon it has been lost. This shows still further the necessity of providing some regular system of accountability for the investment of the money and the payment of the dividends. Governor Barbour came in while I was conversing with Graham on this subject. It was new to him. He will enquire concerning the state of the annuity to the Senecas. He had seen Chilly Mackintosh and the other Creek chiefs. They charge Crowell, the Agent, with having refused the Mackintosh party rations at the council meeting, and insinuate that he instigated the other chiefs to the murder of Mackintosh. I desired Mr. Barbour to bring them to some specific charge against Crowell, which he might be called to answer. He proposes to send a trusty special sub-Agent to carry an answer to the Governor of Georgia, who threatens on the part of that State immediate acts

of violence for retaliation, or protection, to inform the Governor of Georgia that the United States never have interposed, and cannot interpose, in transactions of internal feuds in an Indian tribe; that the messenger go to the Upper Creeks and inform them of the horror with which we have received the information of these outrages; to warn them against further violence, advise them to return to their homes, and give them permission to send a deputation here next winter, as they have requested. I approved of these measures, but am persuaded they will be insufficient, and apprehend this massacre is only the signal for a ferocious Indian war, bursting upon us like a thunderbolt. I requested the Secretary of War to ascertain and let me know what military force we could bring to bear immediately upon the menaced borders of Georgia.

C. Bulfinch came, as I had requested, and we viewed, with Governor Barbour, the designs and models for the premium. I desired Bulfinch to tell Elgar that I declined deciding which design should have the premium, believing that no one of them was entitled to it; but, as I was unwilling merely upon my own opinion to decide against all the competitors, Mr. Elgar might appoint three persons of taste and skill to decide, both whether the premium should be awarded to any one of the designs, and, if so, to which of them. Dr. Thornton and C. King were mentioned by me, and Colonel Bomford by Mr. Bulfinch, as suitable persons for this reference.

Mr. Weightman, the Mayor of Washington, brought me a written opinion of Walter Jones, that four sums of ten thousand dollars might be raised by lottery in one year, under the law contemplating such a lottery, for each of four successive years. I told the Mayor I would take it into consideration.

17th. I gave Mr. Southard several papers for reference to the Departments both of the Treasury and the Navy. The Court of Enquiry have made a call for documents, which makes it a matter for consideration whether the correspondence between the Navy Department and him, of the last year, should not be laid before them. Porter's conduct was then so dissatisfactory to President Monroe that he declined seeing him, and, but for

his previous services, would have then brought him to a Court-martial. But, as no measure was actually taken against him then, it seems unfair to make his conduct then a subject of censorial enquiry now.

I gave Southard the opinion of Walter Jones upon the proposed city lottery, and asked him to write to the Attorney-General, who is at Baltimore, asking his opinion of the legality of this quadruple lottery, and also to give me his own. On examination of the precedent cited by Jones, it does not bear him out in his argument. Southard's first impression was like mine, that the law does not give the President the power to approve such a lottery.

Governor Barbour had further letters from Governor Troup, of Georgia, with enclosures, leading to the expectation that, within three days from the time when they were written, a hostile incursion of Creek Indians into Georgia was thought inevitable. Barbour had prepared an answer to Troup's first letter, which has now become unsuitable. Chilly Mackintosh has made written specific charges against the Agent, Crowell, and presents various claims for protection and indemnity, referring to the eighth article of the Treaty of Indian Springs, which contains a promise of protection, very insidiously introduced, and the purport of which was certainly not considered by the Senate when they advised to the ratification of the treaty. I directed that Crowell should be suspended from the Agency and called to answer to the charges of Governor Troup and of Mackintosh. In the mean time, that a special temporary Agent should be appointed; that General Brown should be consulted, and General Gaines ordered to repair to the neighborhood of the Creek territory and to wait there for instructions. No report yet from Crowell. The instant we begin to move, the want of money is felt: the means of the Executive are so limited, and the aspect of war is so menacing, that I know not how we shall avoid the necessity of calling Congress together in the midst of summer.

Dr. Watkins came afterwards with Mr. Southard, to ask an order upon the Navy Department from me for the payment of about nine thousand dollars, due to the widowed administratrix

of a Mr. Johnson, a purser in the navy, who is herself at the point of death. This account is adjusted, and the balance due to Johnson acknowledged, but it is charged upon a contingent appropriation before 1824, which is exhausted. There is no fund from which the payment can be made, and the question is whether I could transfer the payment of it to any other appropriation. I thought I could not, but Mr. Southard took the papers to consult the laws concerning transfers of appropriations, according to which I am definitively to act.

Elgar, the Commissioner of the Public Buildings, was here. I told him I declined to decide upon the designs for the tympanum of the Capitol, and mentioned to him Dr. Thornton, Colonel Bomford, and C. B. King, the painter, as persons to whom he might refer the questions, first, whether any one of the designs deserved the premium, and, if any one did, which it was.

18th. G. Sullivan came and took leave. Spoke of his visits to Mr. Jefferson and Mr. Madison, the latter of whom, he said, appeared cordially disposed to this Administration; Mr. Jefferson less so, and particularly with regard to Mr. Clay. Sullivan said he should pass through Worcester on his way home, and asked what he should say for me to the Governor, Lincoln. I said he should give my compliments to him, and congratulations upon his election, with my hope that he would find the Chair of Massachusetts a bed of roses, which I could assure him the Presidential Chair was not. Sullivan left the city this day, with his family.

Elgar, Colonel Bomford, and King came to examine the designs and models for the tympanum, and thought none of them entitled to the premium. A selection of the ideas from several of them, with great simplification of the design, appeared to be the most expedient course; but it would scarcely be justifiable to take ideas from designs offered for a promised premium and to withhold all recompense.

Daniel Brent brought a note from Baron Tuyl, the Russian Minister, requesting an audience, for which I fixed to-morrow at one o'clock. Mr. Southard called, upon various objects depending upon the Treasury Department, particularly the pro-

viding of money to be placed at the disposal of General Gaines without appropriation—whether by loan from the Bank U. S., or by applying to this object the appropriation made to be paid to the emigrating Indian party, which, if not already paid, must now be withheld.

I gave Mr. Southard directions for the dismission of Moses Fort, a delinquent Collector at Beaufort, S. C., and for commissions to be issued for Receivers of public moneys at Edwardsville, Illinois, and Cahawba, Alabama. It was past five when Mr. Southard left me, and from nine in the morning I had not been ten minutes at a time without company. So it is almost every day.

19th. With General Brown, I had a long conversation upon the prospects of a war with the Creek Indians. He remarked upon the extreme violence of Governor Troup, but observed that an Indian war might be an object of profitable interest to the State of Georgia. He spoke of Gaines as a very fair, honorable, and virtuous man, but somewhat excitable, entertaining sentiments of strong aversion to the Indians, and perhaps liable to be influenced by some indiscreet persons connected with him. Among the rest, he mentioned his aide-de-camp, Butler, who was recently with him here—a near connection of General Jackson's, and who behaved so improperly to Mr. Clay. Brown said he had written to General Gaines on the subject, and hoped Mr. Clay had been mistaken in the opinion that Butler had purposely withheld his hand from him in my antechamber.

I said I hoped it would prove so; thinking it very unjustifiable conduct in Lieutenant Butler, if intended by him.

Baron Tuyl, the Russian Minister, came at one o'clock. Gave me thanks for the communication to him of the instruction to Mr. Middleton relating to the state of the war between Spain and her continental American ex-Colonies. He spoke in terms of high commendation of this measure, and said that without being able to anticipate what the Emperor's determination upon it may be, he is quite sure that it will be received and treated by him with great consideration, and as an act equally marked by moderation, candor, and friendly feeling

towards him on the part of the United States. He said he was very desirous that there should be time for this measure to have its full effect, and, observing in the newspapers a proclamation of General Santa Anna, of Guatemala, for an expedition against the island of Cuba, he hoped the Government of the United States would exercise their influence with those of South America to suspend any such movement at this time, the result of which might much increase the difficulties of the pacification, which was so much to be desired. He also enquired if he might communicate to the Russian Ambassadors at Paris and London, Pozzo di Borgo and Count Lieven, the substance of the instruction to Mr. Middleton. It was possible, especially, that Mr. Pozzo di Borgo, upon receiving the information, might, even before the instruction would reach St. Petersburg, give some hint, and exercise some influence at Madrid, which might prevent any counteraction there to the purpose intended by it.

I answered the Baron that I had been glad to have an opportunity of manifesting my sentiments towards him, by the confidential communication of the instruction to Mr. Middleton. This has been sent, upon the special emergency of the times, since the annihilation of the Spanish force in Peru, from a full confidence in the moderation and magnanimity of the Emperor, and from the conviction that his power might now be most efficaciously interposed to restore and preserve the peace of the world. It was apparent that the Spanish dominion was annihilated on the American continents. The castles of Callao and of San Juan d'Ulua were the only two spots of which they retained possession, both besieged, and incapable henceforth of affording the means of offensive operations to Spain. But Cuba still remained in her possession, and was a post of annoyance, both against Mexico and Colombia. Released from the necessity and occasion of employing their armed force upon their own territories, they must naturally look to Cuba as a stronghold of their enemy, an attack upon which by them was an essential part of their defence of themselves. But neither Mexico nor Colombia were desirous of achieving the conquest of Cuba, with a view of annexing it to

themselves. From its situation, and the character of its population, it could only prove a useless and unsupportable burden to them. Neither were the United States desirous of making it a part of their confederation. But the island was at their doors; they could not suffer it to be transferred from Spain to any other European power, nor could they willingly see it conquered, either by Mexico or Colombia. These sentiments of ours were known to the Governments of those two republics, and were not disapproved by them. We should dissuade them from the expedition against Cuba for the present. But we must treat with them as independent nations, and while Cuba and Porto Rico were held by Spain, as stations from which to organize expeditions against them, we can neither demand nor expect that they should abstain from hostile enterprises against those islands in their turn. Cuba was to the United States an object of paramount commercial importance. The capital employed in the trade was greater than that with all the dominions of France; the tonnage employed in it nearly equal to that with Great Britain. We were content that it should remain in its present condition, under the dominion of Spain, but enjoying a free trade with us. If the Emperor Alexander should present these considerations to Spain, founded as they are upon a most important interest of Spain herself, we cannot doubt that they would prove efficacious, by preserving to Spain two islands immensely valuable to her, by restoring general peace, and by accomplishing an arrangement adapted at once to the interests of all the European and all the American powers. I consented that he should communicate to Pozzo di Borgo and to Count Lieven the substance of the instructions to Mr. Middleton, but requested, both for the safety of the conveyance and to give me an opportunity of letting Mr. Brown, at Paris, know that the Russian Ambassador there would have the information, that he would send this dispatch by Mr. R. King, who is to sail from New York the 1st of June.

He readily agreed to this, and said he would communicate to me a copy of his dispatches to the Ambassadors on this subject.

On leaving the Baron, I found Mr. Barbour, the Secretary of War, in my cabinet. He had this morning received intelligence of the decease of his father, at the age of ninety. The importance of the public dispatches also received this morning had alone induced him to come out. He had further letters from the Governor of Georgia, with enclosures of false and fabricated intelligence, and two letters of 2d and 6th May from the Agent, Crowell. The Little Prince, an eminent Creek chief, told Crowell that the massacre of Mackintosh was only the execution of a law of the tribe, and disclaimed all intention of hostile designs against any white man. Mr. Barbour had a draft of instructions to General Gaines, to which he proposed to add a supplementary letter, in consequence of these advices from Crowell. Major Andrews is to be sent off as a special Agent tomorrow, with a contingent power to suspend Crowell, if necessary; for in his second letter this Agent expresses an apprehension that he might be charged by his enemies in Georgia with being accessory to the slaughter of Mackintosh, and most solemnly disclaims having had any knowledge of it. I thought it would, therefore, be a harsh measure in this state of things to suspend him positively, and might have a bad effect upon the Indians themselves, and urge them to desperation, when they might otherwise be restrained. I thought it advisable also that Gaines's authority to act by hostile measures should be expressly limited to the protection of the Georgia frontier, or to the event that the Indians who slew Mackintosh should continue embodied, and continuing their outrages upon the other party. Governor Troup's measures have been exceedingly hasty and intemperate.

Mr. Southard, S. N. and T., came in while Mr. Barbour was with me, and we had consultation as to the mode of placing money at the disposal of General Gaines, the sum to be limited to one hundred thousand dollars, and to be furnished by drafts on the Collector at New York. He had some written observations of Asbury Dickins on it, which he left with me. He also read a very long letter from Mr. Wirt, who is at Baltimore, in favor of the three founderies which furnish the ordnance, against the proposed advertisement for contracts by underbid-

ding. Barbour had ordered the advertisements to issue to-morrow. After Wirt's letter was read, and much conversation concerning it, I thought it best to suspend the advertisement for further consideration, which Mr. Barbour will order accordingly.

Southard had likewise received an opinion of Mr. Wirt, A. G., with which his own concurs, against the power of the President to approve the resolution of the Washington City Corporation to raise by lottery four sums of ten thousand dollars at once. It was near five o'clock before I could walk out.

20th. Governor Barbour read to me his definitive letter to the Governor of Georgia, and his instructions to Gaines. He was to dispatch Major Andrews this day. The powers to Gaines are contingent upon the continuance of outrage by the Indians. Should they have dispersed, he is to assemble them in council, and urge upon them the necessity of carrying the Treaty of Indian Springs into execution; and an explicit warning is given to the Governor of Georgia to postpone the surveying of the Territory, a design to do which, prematurely proclaimed by the Governor of Georgia as his motive for calling a session of the Legislature, and with the sanction of Mackintosh to the measure, ostentatiously displayed, was in all probability the cause of the bloody proscription of that chief. I begin to indulge a hope that a war may yet be avoided. Mr. Hay has been several days in the city. He spoke with much concern of the disturbances among the Indians and in Georgia, and strongly expressed the opinion that the Treaty of Indian Springs ought not to have been ratified. It ought never to have been made; but nothing could have arrested the progress of this iniquity after the selection of two Georgians as Commissioners for negotiating the treaty. They concluded the treaty directly in the face of their instructions; but when the treaty came here, the President could not withhold it from the Senate, and when before the Senate, no one would take the invidious task of exposing its injustice. The Senate sanctioned its ratification without giving it an examination, and I had no practicable alternative but to ratify it accordingly. The Clark party in Georgia already make it a matter of public reproach against me. Mr. Hay's concern is more sympathetic.

Southard brought me Wirt's opinion, confirmed by his own, against the power of the President to approve the City Corporation Lottery Resolutions; asked about the remarks of A. Dickins on the mode of placing money at the disposal of General Gaines. No decision this day.

24th. Mr. Barbour had a private letter from J. S. Skinner, Corresponding Secretary of the Maryland Agricultural Society, mentioning that in March the Society had invited me and him and the other heads of Departments to attend the next annual cattle-show and exhibition of household manufactures, at a tavern four miles out of Baltimore; that answers had been received from all but from him and me, at which the Society were a little hurt; that they were to meet next Saturday at his house, at which time our answers might be received, and there was an argument on the President's attendance, to give countenance and encouragement to agriculture. The exhibition is to be the 1st and 2d of June—the best exhibition on the 1st, and the distribution of the premiums, which they wish the President to make, is on the 2d.

Mr. Barbour had not received his invitation. I had received mine, and had delayed answering, under some hesitation whether to go or not. I now concluded, for various reasons, not to go. From Skinner's letter to Barbour, it is apparent that the Society wish to make the President of the United States a part of their exhibition. To gratify this wish, I must give four days of my time, no trifle of expense, and set a precedent for being claimed as an article of exhibition at all the cattle-shows throughout the Union. From cattle-shows to other public meetings for purposes of utility or exposures of public sentiment, the transition is natural and easy. Invitations to them would multiply from week to week, and every compliance would breed the necessity for numerous excuses and apologies. Finally, this is no part of my duties, and some duty must be neglected to attend to it. "Seest thou a man diligent *in his* business?" I answered Mr. Skinner, declining the invitation.

25th. The Postmaster-General came to introduce Mr. Sherwood, who is a mail contractor for two daily mails from Utica to Albany, in the State of New York. These are not found

sufficient for the wants of the people inhabiting at and between those places, and Sherwood comes to contract for a third mail.

Mr. Brent mentioned that Mr. Salazar, the Colombian Minister, had received information that the Commercial Treaty concluded by Mr. Anderson had been ratified at Bogota, and that Salazar was in daily expectation of receiving it. In the absence of Mr. Clay, I authorized Mr. Brent to exchange the ratifications with Mr. Salazar. Brent said Mr. Addington had expressed a willingness that copies should be taken of the two papers which he had left with him the day before yesterday to be communicated to me. They were the note of the Spanish Minister of Foreign Affairs, Zea Bermudez, protesting against the recognition by Great Britain of the independence of Mexico, Colombia, and Buenos Ayres, and the reply of the British Secretary of State, Canning. I desired Mr. Brent to have copies of them made for me.

Dr. Watkins brought me a letter he had just received, not signed, but from D. Webster, urging the exercise of influence on my part to secure the election of Jeremiah Mason as Senator from New Hampshire; which I declined, from a conviction that such interference would be not correct in principle, and unavailing in result—there being not the remotest chance of Mason's election. Webster himself ought to have seen this.

26th. Dr. Waterhouse and E. Kirby dined with us yesterday, and the Doctor had called upon me in the morning, and conversed much upon the case of Captain Isaac Phillips, at whose house he lodged as he came through Baltimore. Phillips was for coming with him to Washington, and intends to publish a pamphlet. He told Dr. Waterhouse that if General Jackson had been President he would have been restored to the service; that he had shown him all his papers, and the General said it was a perfectly clear case in his favor. I told the Doctor that I had expected Phillips would publish a pamphlet, but it would not aid his cause. I declined restoring him to the service, on the ground that the President has no lawful power to restore an officer once dismissed. But on the merits of the case I should have come to the same conclusion. I had ascertained that his statement was essentially incorrect in point of fact, and, even if

true, showed that he ought to have been dismissed. Phillips told Waterhouse that while Secretary of State I had assured him that the decision depended entirely upon the President, which he thought inconsistent with my decision now. But in saying that the decision depended upon the President, my only meaning was that I as Secretary of State had nothing to do with the matter; that it was the President's power and duty to decide upon his memorial, but not that he must, or even could, decide it in his favor.

This morning Dr. Waterhouse called, and left with me some manuscripts of his own writing, in which he undertakes to prove that the Earl of Chatham was the author of the letters of Junius.

Mr. Southard came with some papers concerning a dismission and restoration to the service of Captain Rodgers in 1801. Phillips had written to ask copies of these papers, which on a first search had not been found, but which have since been found. There is a letter from R. Smith, Secretary of the Navy, to Captains Campbell and Rodgers, in 1801, declaring them dismissed in consequence of the reduction of the navy; and about nine months after, another letter to Rodgers, addressed to him as a Captain in the navy still—and no explanation of this seeming inconsistency. Southard said he recollected Rodgers having told him that such a letter had been written to him, but recalled by an express, so that he had never received it. Southard asked if copies of those papers should be furnished to Phillips, as he demanded. I thought they should; but that Rodgers, as soon as possible, and Robert Smith, who, in 1801, was Secretary of the Navy, in the mean time, should be enquired of to explain the facts relating to the apparent dismission and restoration of Rodgers.

27th. Mr. Anderson came at noon, and I had a long confidential conversation with him, chiefly upon the affairs of South America. I told him what had been the cause of our communications with the Mexican and Colombian Ministers, and of the instructions to our Minister at St. Petersburg to propose the interposition of the Emperor of Russia to prevail upon Spain to recognize the South American continental powers and thereby secure the continued possession of Cuba and Porto Rico. I

proposed to Mr. Anderson that he should attend the projected Congress of Ministers at Panama; to which he readily assented. He thinks that Mexico inclines to take possession of Cuba, and Colombia of Porto Rico. He asked if I had thought of giving him a colleague for the Congress. I said my own inclination was to have but one Minister there, the object of the meeting being to consult, deliberate, and report, rather than to contract any positive engagements. Mr. Clay, I observed, had inclined to have two Commissioners, and had mentioned Mr. Gallatin's name for one of them. But Congress would consider the expense as an object of some moment, and I thought one Commissioner would be competent to the duty. Something had been said of holding this meeting next October, but we doubted whether it could to any useful purpose assemble so soon. If, however, it should then be held, he could attend it when proceeding upon his return to Colombia, and I hoped he would be ready to go by the 1st of September. He thought he should.

28th. Mr. Barbour had a letter from Governor Coles, of Illinois, complaining that some workmen at lead-mines on the borders of the State had been taken by process from the Territory of Michigan, and expressing a wish that this annoyance might be stayed and the boundary between the State and the Territory determined. Mr. Barbour had a section from a map made by a survey of one of our officers, from which it appeared that the lead-mines in question were actually within the State of Illinois, two or three miles from the boundary line. He said he had already written to Governor Cass to stay the proceedings. I made some remarks upon the leases of the lead-mines, which had been left for my approbation, one or two of which were found to be not regularly executed.

Mr. Southard spoke of some question made by the Comptroller, Anderson, concerning requisitions for warrants upon the Treasury, drawn by D. Brent, as Chief Clerk of the Department of State, in the absence of the Secretary. They were scruples originally raised respecting the payment of salary to John Mason, as Secretary of Legation to Mexico, during the long interval from the appointment of General Jackson to that mission until that of Mr. Poinsett. It now extends to other

objects, but the Comptroller appears not to have settled in his own mind how far.

Southard said Force had spoken to him of Captain Porter's intended pamphlet, in which he proposes to publish his correspondence with the Navy Department, and the proceedings of the Court of Enquiry, not appearing at all to suspect that he is to be tried by a Court-martial. I asked Southard if he was not ready to have him arrested. He said the charges were not yet prepared, but would be in the course of two or three days. But, he said, he could write this day to Porter and give him notice that he would be arrested upon charges; which I desired him to do.

30th. Mr. Southard mentioned that a vessel was now ready to be stationed upon our Northeastern coast, for the protection of our fishermen, and he was about preparing instructions for Captain Parker, who would command her, and he enquired where she ought to be directed to cruise. I referred him to the documents communicated to the House of Representatives relating to the complaints of the fishermen last summer, and to the complaints against them. I read to him the article concerning the fisheries in the Convention with Great Britain of 1818, a copy of which article I advised him to give with his instructions to Captain Parker. And I recommended that he should direct Captain Parker first to go to Eastport, and advise with the Collector there; to cruise along the coast of Nova Scotia, in the Gulf of St. Lawrence, and along the coast of Labrador, making Eastport his point of departure, until the month of October. I gave him also a copy of my pamphlet on the fisheries and the Mississippi, where he expected to find information which might be useful to him in drawing up his instructions.

Mr. Anderson came, very warm upon having heard that Captain Porter had been informed that he would be arrested and tried by Court-martial, and told me the Commodore wished to know whether it would be only upon the affair at Foxardo, or whether other charges were to be included. Mr. Anderson began by appealing very solemnly to the old and uninterrupted confidential relations between himself and me; then entered upon a review of the transactions of Porter during the

last two years, with strong prepossessions against Mr. Southard, the Secretary of the Navy. He talked of the extraordinary excitement which the arrest and trial of an officer so high in the public confidence would produce, and enquired if I had come to the determination to try him after a full examination by myself of the whole correspondence; intimating a suspicion that I had been influenced to the measure by Southard.

I recognized fully the old confidence to which Mr. Anderson appealed, and told him, first, that he was mistaken in supposing Mr. Southard was hostile to Captain Porter, and that it was a great mistake of Captain Porter himself, which was leading him into trouble. Secondly, that the determination to try Porter had been taken against the advice and opinion of Mr. Southard, but with the unanimous advice and opinion of the other members of the Administration.

He said Porter complained that the Court of Enquiry had rejected some papers which Porter had sent to the Secretary of the Navy as evidence that Foxardo was a piratical place, and asked if I had seen them.

I said I had seen them all; that they were of no consequence, and the Court had also rejected evidence furnished by the Spanish Chargé d'Affaires and sent to them by the Secretary of the Navy; that the report of the Court of Enquiry upon that part of the subject was entirely honorable to Captain Porter, and the charges against him on the Court-martial would be confined to the affair at Foxardo, unless I should direct an additional charge for his insubordinate and insulting letters to the Department, to Mr. Monroe, and to me.

Mr. Anderson expressed a vehement aversion to this, though he admitted the letters were very exceptionable, and said he had told Porter so.

I read to him Porter's letter to me of 11th April, which, I told him, had affected me the more because it was written and sent and received by me on a Sunday.

He acknowledged it was very wrong, but still urged, and rather entreated, that it should not be produced to a Court-martial. I said it probably would not. I had never shown it to Mr. Southard. If I had, I knew not what he would have

done; but if I were in his situation, and the President should receive and show me such a letter, I should see in it a necessary alternative either that the writer of the letter should be tried by a Court-martial for writing and sending the letter, or that I should resign my office. It was but the other day that Midshipman Van Dyke was tried by a Court-martial, and sentenced to be dismissed from the navy, for *writing* a letter to the Secretary of the Navy, barely asking to be removed from the ship. It was not even proved that he had sent the letter. Justice was the same for a midshipman and an admiral; and if the highest officer in the navy could insult with impunity the head of the Department under which he served, there could be no justice in punishing a midshipman for insulting *him*.

Mr. Anderson agreed that I had been kind and indulgent to Porter in withholding this letter from Mr. Southard, but, as to the affair of Foxardo, said it was a subject of international law, upon which a Court-martial could not decide unless upon a charge of having violated instructions.

I said I did not see why a Court-martial should be incompetent to decide upon a violation of the law of nations, or of the Constitution of the United States, as upon a breach of the Articles of War; but if they were not competent they would say so, and then the duty of the Executive would be to perform his duty upon their decision. I disapproved the invasion of the island of Porto Rico, but, from respect for his character and services, would not express that disapprobation in an arbitrary manner. I would first give him the benefit of a trial by his peers, and of whatever they should decide in his favor he should have the advantage.

Mr. Anderson finally agreed that this was all right, and that I could not with propriety do otherwise, but asked, how if Porter should follow the example of McDonough and acknowledge that he had been wrong?

I said that would change the whole aspect of the affair. In that view of things, there might be room for considerations of indulgence; but Porter himself had shut the door upon them by the tone of defiance and insult which he had hitherto maintained—claiming honor and reward for that which demanded

reprobation. The change must come from himself, and with reference to his own interest. He (Mr. Anderson) might, in his discretion, make such use of the closely confidential remarks I had now made to him as he should think proper; and, as the articles of charge have not yet been prepared, I should not decide upon them till I should hear again from him.

The Commissioner of the Public Buildings, Elgar, brought a new design for the tympanum of the Capitol, drawn by Persico from the ideas which have been suggested when Colonel Bomford and C. B. King were here. I made some remarks upon this design, and he proposed to me to ask Mr. Persico and Mr. Bulfinch to call upon me to-morrow to converse with me on the subject; to which I agreed.

31st. Bulfinch and Persico came at one o'clock, and we discussed the new design, which was a personification of the United States standing on a throne, leaning upon the Roman fasces, surmounted with the cap of liberty, with Justice at her right hand, blindfolded, holding the suspended balance, and in the other hand an open scroll, and Hercules at her left, seated on a corner of the throne, embracing the fasces, and emblematical of strength; to which were added, separately drawn, and to fill up the space, Plenty seated with her cornucopia, in one corner, and Peace, a flying angel, extending a garland of victory towards America with one hand, and bearing a palm in the other.

These two last figures I advised should be discarded, as well as the Roman fasces and the cap of liberty. The Hercules had also too much of the heathen mythology for my taste, and I proposed to substitute in his place a figure of Hope, with an anchor—a Scriptural image, indicating that this Hope relies upon a Supreme Disposer of events; "which hope we have as an anchor to the soul, sure and steadfast." Instead of the fasces I proposed a pedestal, with 4th July, 1776, inscribed on its base, and 4th March, 1789, upon its upper cornice. The whole design then would represent the American Union founded on the Declaration of Independence and consummated by the organization of the General Government under the Federal Constitution, supported by Justice in the past, and relying upon Hope in Providence for the future.

Persico objected that all the figures of the group would be females, and thought there should be at least one male figure. However, he is to make a drawing of the design, and we shall examine it.

Mr. Barbour, the Secretary of War, came with a letter from J. Crowell, the Agent with the Creek Indians, who is convinced that they will commit no act of violence or hostility, unless instigated by further violence from Governor Troup, of Georgia. Mr. Barbour had received also another insulting letter from Governor Troup, which he thought it best to leave unanswered.

I mentioned the new demand of Major Lomax, that his claim to rank over Major Bird should be submitted to a board of officers.

Barbour advised to postpone the subject until there should be a full Cabinet, and then the other questions of the same kind, left unsettled by the late Administration, should be considered altogether. He spoke also of the claim for allowance of double rations by D. Parker, and the inconsistencies of Mr. Calhoun's partialities and animosities against Parker, who, he said, had, at least for the present, abandoned this claim. I mentioned the irregularities in the execution of the Missouri lead-mine leases and bonds, which I thought should be corrected.

Day. Entering upon a new course of life, momentous not alone to myself, and specially responsible to God, to my country, and to mankind, I have intensely felt my obligation to devote all my time and all my faculties to the discharge of my duties. To this end I have endeavored to make a regular distribution of time—which I have been, however, enabled but very imperfectly to execute. The ordinary day during the month has been generally like that of April. My rising hour between four and six. But the bathing season has come, and the heat of summer, which renders it necessary to transpose my hours of exercise from the afternoon, before dinner, to the morning, before breakfast. This I have done for the last three days, taking two morning hours for bathing and swimming in the Potomac. My diary has been more steadily kept up, yet not without negligent interruption. Incessant and distractingly various occupation continues to fill the space between breakfast

and dinner, and most of the evenings are wasted in idleness or at the billiard-table, a resource both for exercise and amusement.

June 1st. Mr. Brent came, and introduced Count Vidua, of Turin, a son of the Prime Minister of the King of Sardinia, and Mr. Vischer, son of one of the principal magistrates of Basle, in Switzerland. The Count has been a very extensive traveller in the Old World, and is now a traveller of curiosity in this hemisphere. Appears to be a person of much intelligence and information.

The intended employment of a public vessel for the protection of our Eastern fisheries induced Mr. Southard to ask me for my controversial pamphlet on the subject, published in 1822. I gave him a copy of it, and was this morning accidentally looking at another, which engaged my attention and absorbed all the leisure of the day. The transactions connected with that book were among the most important of my life; and the reperusal of it filled me with gratitude to Providence for having extricated me from one of the most desperate entanglements in which the malice of man ever involved me. While rejoicing at the result of that struggle, let it serve me as an admonition not to exult at the past, but to be armed in panoply for the future.

2d. Mr. Southard came, to enquire if I had heard further from Captain Porter. While he was with me, two copies were brought in of a pamphlet which Porter has had printed, addressed to me, containing a part of the correspondence relating to the affair at Foxardo, the precept convening the Court of Enquiry, some of the proceedings before it, a defence of Porter's transactions in that affair, and sundry documents, most of which were rejected by the Court, as not competent evidence. The reading of this pamphlet again occupied the day, so that I wrote nothing. Porter complains of being oppressed, and labors to divert the attention of the public from the censurable part of his conduct, by representing his invasion of Porto Rico as if he had gone there in the fresh pursuit of pirates. This publication itself, after notice that he would be tried by a Court-martial, is an appeal from the Government to the people.

Mr. Rhea, of Tennessee, called to visit me. Indulging per-

haps a rover's disposition. He was more than twenty years a member of the House of Representatives, with intervals once or twice, when he lost his election. He is a native of Ireland, and now at least fourscore years of age. I asked him whether he would come again. He said he did not know—so that he will be a candidate if he sees any chance of succeeding.

McCorkle came for a subscription to a Bible of parallel texts. I told him that I would take a copy, but it has been a uniform practice of the Presidents of the United States not to make subscriptions.

General Brown came, on account of the absence of the Secretary of War, to enquire if there was anything concerning which I wished to consult him. I asked him why the Board of Officers, which was convened in February, to decide upon the question of rank between Generals Gaines and Scott, had declined giving any opinion upon the point immediately at issue between them.

He said the report of the Board had been that they could give no *useful* decision in the case; which might be understood that they were so equally divided in opinion that their decision could not be useful as advice to the Executive.

I mentioned to him a letter I had received from Colonel William King, claiming to be appointed colonel of one of the regiments of artillery, now vacant. He considers the question as resting between him and Colonel Bissell.

Brown said that King was infinitely the better officer of the two. King was tried in 1819 upon several charges, one of which was, having given an order by which a deserter was put to death without trial. He was found guilty of the charge, and sentenced to five years' suspension. On the reduction of the army in 1821, he was left out of the new arrangement, and so was Bissell. In June, 1820, King wrote two letters to President Monroe, full of invective against the Court which had tried him, against Parker, the then Adjutant-General, against a committee of the House of Representatives which had reported a resolution requesting the President to strike King from the rolls of the army. These letters he published six weeks afterwards, prefaced with an address to the people. He

has now sent me a copy of this pamphlet, with a copy annexed of a third letter to Mr. Monroe, referring to the case of a Major Wyllys, who, in 1786, put to death three deserters without trial, against whom some measures were at first taken by the old Congress, but whom, after some months, they directed to be discharged. With these enclosures, King now writes me a letter claiming this appointment to the vacant regiment, and extremely abusive upon Mr. Monroe. His letter is not positively disrespectful to me, but says he should have more confidence of succeeding with General Jackson or Mr. Crawford, both of whom had expressed opinions in his favor. I told Brown that as to the roughness of this address towards myself, it would have no influence in my mind against King, but his abuse of Mr. Monroe was not at all propitiatory to me, nor could I reconcile to my feelings of humanity the order to put to death a deserter without trial.

Brown said the general sentiment of the army was not much against this.

6th. Mr. Brent came for directions respecting the bills drawn by the Government of the Colombian republic to indemnify certain claimants, citizens of the United States. Some caution is necessary to secure the payments to the persons actually entitled to receive them. Mr. Southard brought a draft of instructions to Captain Parker, who is to proceed with one of our public vessels to the coast of our Northeastern frontier, for the protection of the fishermen.

I made some remarks, suggesting certain alterations to be made in the instructions.

He spoke of Captain Porter's pamphlet, the publication of which he thought ought to be made the subject of a charge, to be tried by the Court-martial to be convened on the Foxardo affair. The charge he thinks sustainable on two specifications—of gross insubordination in making an appeal to the public in print upon the very case on which he had received notice that he was to be tried by a Court-martial, and in making false representations of it, by garbling the very documents that he produced.

Messrs. Bulfinch and Persico brought the design for the

tympanum of the Capitol—America between Justice and Hope —upon which various remarks were made.

8th. Mr. Niederstetter was presented to me by Mr. Brent as Chargé d'Affaires from the King of Prussia. He was dressed in a full military uniform, and made me a set speech, according to the diplomatic usage of Ministers Plenipotentiary. It was longer than usual, but turned upon the ordinary topics—the friendly disposition of the King towards the United States, and his desire that the commercial relations between the two countries should as much as possible be promoted. He said he was directed to express the warm and grateful sentiments of his Government at the kind feeling and sympathy which had been manifested here on the illness and decease of his predecessor, Mr. Greuhm, and he hoped I should be assured that he could faithfully execute the orders of his sovereign only inasmuch as he should follow the example of Mr. Greuhm, by discharging the duties of his trust in a manner which should secure the approbation and esteem of the Government of the United States.

My answer was short, and entirely unpremeditated. That I received him with great pleasure as the representative of the Prussian Government; that the relations between the two countries had always been interesting and uninterruptedly friendly; that they had also been distinguished by the negotiation, at two different periods, of treaties in which the first examples had been exhibited to the world of national stipulations founded upon the most liberal principles of maritime and commercial law. Of the first of those treaties, it was one of the glories that it had received the sanction and ratification of the great Frederic. It had been a part of the good fortune of my life to have concluded with the Ministers of the present King the second treaty; and I had, during a residence of four years at the Court of the present King, learned to appreciate and to estimate his character, and that of his nation, and to form attachments to them, founded as well upon the personal kindness which I had invariably experienced from them as upon the general impression produced by witnessing their merits; that in the friendly treatment which we had shown to Mr.

Greuhm while he lived, and in the melancholy but feeling attentions at the time of his decease, we had borne a most sincere testimonial to his excellent character and conduct, while paying that tribute of respect which was most justly due to his sovereign; that the loss of him so immediately after his return to this country, subsequent to a considerable term of absence, and when we had flattered ourselves with the hope of long enjoying his society, had been felt with deep concern; that I was well assured he (Mr. Niederstetter) would be governed by the same principles which had attached us so warmly to his predecessor; and that I earnestly hoped he would have every motive to be satisfied with his residence in this country.

General Brown conversed with me concerning letters from General Scott, and from Colonels Leavenworth and Cummings, relative to the system of our intercourse and relations with the Indians. They were speculative, and written some months since. I spoke also with General Brown of a certain volunteer company of the District militia which voted to dissolve themselves, and then part of them attempted to form themselves into another company, and chose new officers. General Brown thinks this a very disorderly mode of proceeding, which ought not to be sanctioned. There is also a certain question of rank between several of the officers to be settled.

After dinner I heard Dr. Caldwell's lecture upon the organ of amativeness, which I thought more indelicate than philosophical. The weather was intensely warm, and I had no temptation to learn more either of phrenology or of craniology.

10th. Mr. Wirt left with me a written opinion, as Attorney-General, on a question made by the Third Auditor upon the construction of an Act of Congress allowing interest to the State of Virginia upon certain expenditures during the late war, for which the United States were chargeable. Mr. Wirt's opinion is favorable to the claim of the State in its full extent, but, being himself a citizen of the State, was desirous that I should give it a particular examination. I read it attentively, and approved it.

Mr. Southard brought a final draft of instructions to Captain Parker, commander of a schooner to be stationed on the coast

of our Eastern fisheries, which I approved. I spoke to him of a frigate for the passage of General La Fayette on his return to France. I proposed to name the frigate about to be launched here the Brandywine, in compliment to him, and enquired if she could be equipped in season for the time of his departure, which, he informed me, he proposes about the 15th August. The Commissioners of the Navy are to be consulted whether the ship can be prepared in time. There are five ships of the line and five other frigates to be named, for the former of which we drew complicated lots, and from them selected the names of five States, Vermont, New York, Pennsylvania, Virginia, and Alabama, to call them by. Upon the rivers we did not finally determine. I thought there was a great lack both of elegant taste and of lofty feeling in that resolution of Congress which restricts the names of all our armed ships in future to States, rivers, and cities or towns of this Union. The Shandean doctrine of names is more applicable to ships than to men; and although States, rivers, and towns are good names to be given occasionally to ships, there are more affecting associations which might be awakened and kept in perpetual remembrance by many others.

13th. I attempted to cross the river with Antoine in a small canoe, with a view to swim across it to come back. He took a boat in which we had crossed it last summer without accident. The boat was at the shore near Van Ness's poplars; but in crossing the Tiber to the point, my son John, who was with us, thought the boat dangerous, and, instead of going with us, went and undressed at the rock, to swim and meet us in mid-way of the river as we should be returning. I thought the boat safe enough, or rather persisted carelessly in going without paying due attention to its condition; gave my watch to my son; made a bundle of my coat and waistcoat to take in the boat with me; put off my shoes, and was paddled by Antoine, who had stripped himself entirely naked. Before we had got half across the river, the boat had leaked itself half full, and then we found there was nothing on board to scoop up the water and throw it over. Just at that critical moment a fresh breeze from the northwest blew down the river as from the

nose of a bellows. In five minutes' time it made a little tempest, and set the boat to dancing till the river came in at the sides. I jumped overboard, and Antoine did the same, and lost hold of the boat, which filled with water and drifted away. We were as near as possible to the middle of the river, and swam to the opposite shore. Antoine, who was naked, reached it with little difficulty. I had much more, and, while struggling for life and gasping for breath, had ample leisure to reflect upon my own discretion. My principal difficulty was in the loose sleeves of my shirt, which filled with water and hung like two fifty-six pound weights upon my arms. I had also my hat, which I soon gave, however, to Antoine. After reaching the shore, I took off my shirt and pantaloons, wrung them out, and gave them to Antoine to go and look out for our clothes, or for a person to send to the house for others, and for the carriage to come and fetch me. Soon after he had gone, my son John joined me, having swum wholly across the river, expecting to meet us returning with the boat. Antoine crossed the bridge, sent a man to my house for the carriage, made some search for the drifted boat and bundles, and found his own hat with his shirt and braces in it, and one of my shoes. He also brought over the bridge my son's clothes, with my watch and umbrella, which I had left with him.

While Antoine was gone, John and I were wading and swimming up and down on the other shore, or sitting naked basking on the bank at the margin of the river. John walked over the bridge home. The carriage came, and took me and Antoine home, half dressed. I lost an old summer coat, white waistcoat, two napkins, two white handkerchiefs, and one shoe. Antoine lost his watch, jacket, waistcoat, pantaloons, and shoes. The boat was also lost. By the mercy of God our lives were spared, and no injury befell our persons. We reached home about a quarter before nine, having been out nearly five hours. I had been about three hours in the water, but suffered no inconvenience from it. This incident gave me a humiliating lesson and solemn warning not to trifle with danger. The reasons upon which I justify to myself my daily swimming in the river did not apply to this adventure. It is neither neces-

sary for my health, nor even for pleasure, that I should swim across the river, and, having once swum across it, I could not even want it as an experiment of practicability. Among my motives for swimming, that of showing what I can do must be discarded as spurious, and I must strictly confine myself to the purposes of health, exercise, and salutary labor.

Brown, General. I sent for him, conversed with him on the proceedings of a Court-martial upon a soldier named Allison, whom they sentenced to be shot for desertion twice. I told the General that I could not approve this sentence. Death was too severe a punishment for desertion in time of peace. This was my own opinion, and, I believed, so decidedly that of the nation that an execution for this offence would greatly shock the public feeling.

General Brown said there was no example of a capital punishment for desertion in time of peace. He complained that there was no adequate punishment for this offence, and lamented the abolition of stripes. He said that he had labored earnestly to raise the moral character of the army, to which end he believed a most efficacious expedient would be a judicious and impartial system of promotion from the ranks to subaltern office, and an increase of the pay of non-commissioned officers. He said also he had directed to recruit the army only from native citizens of the Union, the foreigners being always the most troublesome and vicious part of the army.

15th. Vandeventer, for answer to the Governor of Georgia. I sent for Mr. Wirt for a consultation, but he was gone to Annapolis. Of the Administration, Southard only is here. I proposed that Governor Troup should be answered that the U. S. will not be responsible for any consequences of a survey of Indian Territory attempted by Georgia now. Brown and Southard both concur in this, and that corresponding orders should also be given to Gaines; and also that he should keep near the spot all the disposable force. Vandeventer sent me drafts of letters to Governor Troup and to Gaines, which I revised. Brent came for the papers relating to the claims on the Colombian Government. Southard brought the draft of

a charge and specifications against Captain Porter. Some of them I thought should be omitted, and others modified. By the reports of the Commissioners of the Navy, and of Captain Tingey, it is doubtful if the frigate here can be prepared to sail, with La Fayette on board, by the 15th of August.

16th. Went to the navy-yard. The frigate Brandywine, of forty-four guns, was launched. I was launched in her at half-past nine. Lieutenant Skinner went with me on board the ship. Lieutenants Platt and Crabbe were on board. We were in waiting from eight o'clock, when we stopped at Commodore Tingey's house. Mr. Southard, the Secretary of the Navy, and Commodore Morris were at the navy-yard, but not on board the ship. The spectators from the shore were not very numerous. I passed from the ship to a steamboat, thence to a barge, landed at the wharf, and returned immediately home, which I reached before eleven.

30th.

"Circes pocula nôsti;
Quæ si cum sociis stultus cupidusque bibisset
Sub domina meretrice fuisset turpis et excors,
Vixisset canis immundus, vel amica luto sus."

Thou know'st the tale of Circe's bowl,
Which had he drained, the thirsty soul,
He, like his heartless, sottish crew,
Had sunk a beastly victim too;
Dog to a whore, to fawn and whine,
Or grunt, a mud-enamour'd swine.
Hor. Epist. ad Lollium 2, lib. 1, v. xxiv.

"Ira furor brevis est. Animum rege; qui nisi paret
Imperat; hunc frænis, hunc tu compesce catenâ."

Wrath is short frenzy. Rule thy soul,
Which *must* obey, or *will* control.
Curb thy proud soul with bit and rein,
Ay, bind him fast with iron chain.

Saith Solomon, "He that is slow to anger is better than the mighty; and he that ruleth his spirit than he that taketh a city." Prov. xvi. 32.

It is observable that the heathen poet qualifies anger as a short madness, without discrimination or exception. He seems to forbid anger altogether. The image of self-subjugation is the same in the King of Israel and the Roman poet. The Christian moralist allows anger under certain restrictions: "Be ye angry, and sin not." Eph. iv. 26. Is it more easy to suppress this passion now than it was in the days of Solomon or of Horace?

July 4th. McKenney, Colonel T. L., Aid to General Walter Smith, came to mention the arrangements of the volunteer militia companies, which passed in review in front of my house. General Smith himself was indisposed. I could not attend the performances at the Columbian College. The procession to the Capitol was formed only of one company of cavalry, and a school of young girls, one of whom represented the Union, having an open book in her hand; and perhaps twenty others, each with a standard, and each representing a State. But four or five of the new States were represented by boys, painted and in the costume of Indians.

Barbour, James, S. W., came, and brought me the report of the Visitors at the West Point Academy, with documents; and a confidential letter from General Scott, with a project of an Act of Congress for quickening promotion in the army. Also two newspapers sent by the Secretary of Governor Troup, of Georgia.

Southard, S. N. T., returned this morning with G. Graham and T. Ringgold, the Marshal, from their visit to Mr. Monroe, in Loudoun. General Elmer, of New Jersey, with his son, called on me with Mr. Southard. Governor Barbour and my son John went with me to the Capitol, where a prayer was made by Mr. Hawley; the Declaration of Independence was read by Mr. Daniel Brent, and an oration was pronounced by Mr. Asbury Dickins. We returned home, and at the gate found a company of cavalry from Prince George's County, Maryland, commanded by the late Governor of the State, Sprigg. For about two hours we received the crowd of visitors, of both sexes and of all conditions. About three o'clock the company were all gone.

6th. Anderson, Joseph, Comptroller, with letters from H. Major, a merchant in New York, soliciting exemption from the law which forbids bonds of credits upon duties to be taken from persons who have old bonds outstanding against them. He pleads urgent necessity, but makes out no case. I decided immediately against the request, chiefly for the extreme danger of the precedent. Upon which Mr. Anderson said if I had inclined otherwise he should have remonstrated against my opinion. He spoke to me also of Captain Porter and the Court-martial for his trial, and of Governor Troup, of Georgia, and the Creek Indians.

Barbour, S. W., brought me dispatches from the Special Agent, Andrews, who has temporarily suspended Crowell as Indian Agent. He had also several supplementary papers, transmitted by the Board of Visitors at West Point, among the rest the scale of merit and a list of twenty-four reported for exclusion, three of whom he proposed to retain; to which I assented. Governor Barbour had with him his son, a boy of four or five years of age, named Johnson.

Southard, S. N. T., came to say he was about to send a provision-vessel to Gibraltar. He had a dispatch from Commodore Rodgers, stating that he was waiting for his instructions from the Department of State. I told Mr. Southard that they could not be prepared till Mr. Clay should return.

Biddle, Captain, Spence, Captain, just arrived from Philadelphia to attend the Court-martial upon Captain Porter.

8th. Welles, T. L. I returned him the report of Judge Johnson's decision in the case of Kelly vs. U. S., and the opinion of the New York lawyers that Major was not bound by the bond for duties executed by his partner, Gillespie. I said I had not changed my opinion. As the responsible executive, I must hold one partner bound by the custom-house bonds of the other till there should be a judicial decision of the highest tribunal against it.

9th. Southard, S. N., again, with Captain Morris, who is willing to command the frigate to take General La Fayette to France, and there give the ship to the next officer, to proceed with her to the Mediterranean, to be there commanded by

Captain Patterson. But Morris thinks he ought to resign his seat at the Navy Board, and he wishes to have a term of six months allowed him to visit the naval establishments of France and England and to witness their latest improvements in naval architecture. I advised him at all events to go, and said we would consider further with regard to his resignation.

13th. Brown, General Jacob, just returned from his visit to Mr. Monroe, at Oakhill. Message from Mr. Monroe, repeating the invitation to me to visit him with General La Fayette. I spoke to General Brown of the dissolution of the 5th Regiment of Maryland Light Infantry, consisting of volunteer companies, by their own act, and the resignation of all their officers, in consequence of the appointment, by the Executive of the State, of the Adjutant to the vacancy of the Major, instead of the eldest Captain. The principle assumed by them is that volunteer corps always have the power of dissolving themselves. Brown thought this could not be correct, for, he said, it would make such corps worse than useless. It does not yet appear what the Executive of Maryland has done in the case.

14th. Barbour, S. W. Dispatches from General Gaines and Major Andrews, and another private letter from W. H. Crawford, violently denouncing Andrews, Gaines, and Crowell.

19th. Barbour, James, S. W., with dispatches from General Gaines and T. P. Andrews. Thinks the Georgia survey ought to be prohibited, and a proclamation issued. Meeting of the members of the Administration upon it to-morrow at one.

20th. Barbour, S. W. Southard, S. N. T. Wirt, A. G. Meeting of the members of the Administration. Letters from General Gaines and Major Andrews read. Governor Barbour had a draft of a letter to General Gaines prepared; but he, Southard, and Wirt all thought it best to say to Governor Troup now at once that his survey of the Creek Indian Territory should not now be made. Though anxious to postpone this determination till a full Administration should be assembled, I acquiesced in the reasons assigned by Governor Barbour, Mr. Wirt, and Mr. Southard for immediate decision, and Mr. Barbour is to prepare a letter to Governor Troup, giving him notice that the Government of the United States will not permit the survey to be

made; and the meeting was adjourned till to-morrow at one. It was concluded to take no notice of Troup's insulting language, but, in the letter to him, very briefly to assign the reasons for the determination not to permit the survey. Governor Barbour proposed to enclose the letter for Governor Troup to General Gaines, with instructions to cause it to be delivered by his aide-de-camp, Lieutenant Butler; but I thought Troup might represent that as an intended insult, and that it would be better to send it by an express. Objection being made to the expense, it was agreed the letter should be sent in duplicates by successive mails, with directions to the Postmaster at Milledgeville to deliver it.

21st. Barbour, S. W. Southard, S. N. T. Wirt, A. G. Cabinet meeting. Governor Barbour's drafts of letters to Governor Troup and to General Gaines, prohibiting the survey, read and discussed. The object was to instruct General Gaines, if necessary, to prevent by force the survey of the Creek Indian lands by the order of the Governor of Georgia, and to give him notice of this. Governor Barbour's draft used the term "forbid," and called upon Troup to yield obedience. I suggested the use of milder terms, as, "not permit," and "acquiescence;" but, the positive order to Gaines being given in the instructions to him to furnish Troup a copy of them, it was concluded to be the proper course. I also gave Governor Barbour a letter which I received from Troup, with an anonymous enclosure addressed to him, containing a furious denunciation against Wade Hampton and Thomas Cooper for interfering against the Creek Treaty, and stating that they had written to me, and probably would see me; Mr. Troup, withholding from me the name of his correspondent, and professing to believe his charges against Hampton and Cooper delusive, expresses his expectation that if I have any evidence affecting the interests of Georgia relating to it, I will communicate the same to him. I have received one letter from Wade Hampton and two from T. Cooper (the first anonymous), with printed enclosures, and very ardent against the treaty. In giving Troup's letter and its enclosures to Mr. Barbour, I desired him to peruse them and give me his opinion whether I ought to answer the letter at all,

and, if so, whether officially through the War Department or in my own person. On the first impression, Barbour, Southard, and Wirt all thought I ought not to answer the letter at all.

I returned to Mr. Wirt the letters from Judges Marshall, Washington, and Thompson, and from H. Wheaton and Everett, contradicting the imputations cast upon him by Troup relating to the argument before the Supreme Court last February in the case of the Antelope, and advised him to publish them. There was question also with regard to the authentication of testimony before the Court-martial now sitting for the trial of Captain Porter. They refused to receive an office copy of Porter's letter to me of 17th April, and required the original. A commission has also been taken out to take the deposition of Mr. Monroe upon interrogatories. The question, how far the President and heads of Departments could be required to testify upon subjects relating to the discharge of public duties, was spoken of, and the precedents in the cases of Smith and Ogden and of Burr's trial were referred to. That of Marbury and Madison was not recollected.

22d. I walked as usual to my ordinary bathing-place, and came to the rock where I leave my clothes a few minutes before sunrise. I found several persons there, besides three or four who were bathing; and at the shore under the tree a boat with four men in it, and a drag-net. There was a large two-mast boat in the channel opposite the rock, at anchor, and a man on the shore, who requested those in the two-mast boat to raise their anchor and drop thirty or forty yards down the stream, as they were in the way of the boat with the drag-net, which was going in search of a dead body. I enquired if any one had been drowned, and the man told me it was old Mr. Shoemaker, a clerk in the post-office, a man upwards of sixty years of age, who last evening, between five and six o'clock, went in to bathe with four other persons; that he was drowned in full sight of them, and without a suspicion by them that he was even in any danger. They had observed him struggling in the water, but, as he was an excellent swimmer, had supposed he was merely diving, until after coming out they found he was missing. They then commenced an ineffectual search

for him, which was continued late into the night. The man said to me that he had never seen a more distressed person than Mrs. Shoemaker last evening. While the two-mast boat was dropping down the stream, and the other boat was preparing to go out with the drag, I stripped and went into the river. I had not been more than ten minutes swimming, when the drag-boat started, and they were not five minutes from the shore when the body floated immediately opposite the rock, less than one hundred yards from the shore, at the very edge of the channel, and where there could not be seven feet deep of water. I returned immediately to the shore and dressed. A rope was tied round one of the arms, and the boat remained at the spot till a blanket had been sent for, which was spread under the tree. The boat then returned to the shore, drawing the body through the water, and it was lifted from the water, and brought and laid upon the blanket, and covered up. The only part of the body which had the appearance of stiffness was the arms, both of which were raised at the shoulder-joints and crooked towards each other at the elbows, as if they had been fixed by a spasm at the very moment when they were to expand to keep the head above water. There was a dark flush of settled blood over the face, like one excessively heated, and a few drops of thin blood and water issued from one ear. There was nothing terrible or offensive in the sight, but I returned home musing in sympathy with the distressed lady, and enquiring uncertainly whether I ought to renounce altogether my practice of swimming in the river. My conclusion was that I ought not—deeming it in this climate indispensable to my health; so that whatever danger there may be in the exercise—and that there is much danger, this incident offers melancholy and cumulative proof—there would be yet greater danger in abstaining from it, or in substituting any other effective exercise in its place. We are, and always must be, in the hands of God, and to Him are indebted for every breath we draw.

Barbour, S. W. Has dispatched the letters to General Gaines, and to Governor Troup, of Georgia, interdicting the survey of the Indian lands. He returned me Troup's last letter, with its

enclosures, and with a very decided opinion that I ought not to answer it. He afterwards sent me back the two letters of Wade Hampton and T. Cooper. He proposed to write to T. P. Andrews expressing disapprobation at his letter to Crowell suspending him from the Agency, because it contained an unnecessary censure upon the proceedings of the Legislature of Georgia; which I agreed to, and said I had already thought of mentioning to him. Mr. Barbour proposes to take another leave of absence, unable to endure the heat of this place. He will go to-morrow.

26th. Brown, General. Conversation respecting Major Andrews's letter to J. Crowell suspending him as Indian Agent, a part of which I have been obliged to disapprove. General Brown expressed his regret that Andrews had introduced it in his letter. I received from the War Department, and read to General Brown, a dispatch from General Gaines of 15th July, with enclosures. He complains that the troops from Louisiana and Pensacola have not arrived at the Creek Agency, on which he makes remarks, which Brown seemed to feel.

28th. I have had for several days a soreness and pain on the right side, the cause of which was dubious; and withal a debility, nervous irritability, and dejection of spirits far beyond anything I had ever experienced, and uncontrollable by reason. I have wished to impute it altogether to the unexampled intensity and continuance of the heat. More than one of my friends ascribe it to my morning baths and swimming. All my experience heretofore has been otherwise; but in the uncertainty of tracing effects to their cause, and the undoubted effect now, my perfect confidence in the salubrity of my practice is somewhat shaken. I swam this morning nearly an hour, but the pain in my side became so severe and so aggravated by the movement of my arms and shoulder that I determined at least to intermit both the swimming and the bath for some days. The soreness at my side was troublesome the whole day. And I had so constant a succession of visitors through the day as left me no leisure to write or think.

Southard, S. N. T., with papers relating to a Colombian armed ship at New York; come there to refit, probably to

procure armament and men. The Collector at New York writes to know if this may be done lawfully. The Secretary of the Navy takes the opinion of the Attorney-General, who takes for granted that the vessel was driven here by stress of weather, and then finds by our treaty with Colombia that she may repair. This opinion being transmitted to the Collector at New York, he replies that the ship did not come by stress of weather, and the Attorney-General then thinks it is a question not for him, but for the President, to decide. Mr. Southard was also much worried by the offensive defence of Captain Porter, and expects to be summoned before the Court-martial as a witness.

29th. As a substitute for my morning bath, I took a walk, immediately after rising, of nearly an hour and a half, which was more fatiguing than my usual walk and swim of double that time. The weather has become cooler, but without restoring energy of action.

30th. Walking this morning to the borders of the river, I could not resist the temptation of the bath, but remained not more than five minutes in the water.

Rush, R. Proposed to exchange the Treasury Department, to which he has been appointed, for that of the Navy, with Mr. Southard. We discussed the subject at much length, and I dissuaded him from the exchange. He thinks himself better qualified for the Navy; had consulted Mr. Wirt, and through him Mr. Southard, both of whom dissuaded him as I did. He finally appeared disposed to give up the idea of exchanging.

Day. The whole month has been more intensely warm than I had ever before experienced. My rising hour has ranged from four to half-past five. Almost every day I have bathed in the river and swum, from three-quarters of an hour to an hour and a half. Then read an hour. Breakfast between eight and nine, and receive a succession of visitors till four or five P.M. Dine from five to six. Play billiards from six to seven or eight, and generally retire to bed between eight and nine. Excepting the current business transacted by conference with the heads of Departments, the month may be said to have passed away in idleness. The effect of heat to debilitate body

and mind is the more distressing when, as has been the case with me, it is without apparent positive sickness; its continuance, with little intermission, wears out the spirits, and produces dejection and weariness of life, with nervous irritability, and a fermentation of the blood bordering upon insanity. My baths, upon which I have hitherto relied, have partially failed this summer, and I am, at least for a time, to renounce them.

August 1st. Brown, General, concerning the Indian chief charged with murder in Michigan Territory, whether to be delivered up to the civil authority for trial. As Schoolcraft, the Indian Agent, released him, it is expedient to wait for a few days, that the report from Schoolcraft may be received at the War Department. Brown spoke also of Andrews's letter, and General Gaines's to Governor Troup; also of Porter's trial and Mr. Monroe's answers to the interrogatories; and of General La Fayette, to whom the General gives a party to-morrow evening. He had invited me and Mrs. Adams and my family; but I declined for myself, following the example of all my predecessors, none of whom ever attended at private parties.

Page, C. C., the young man from Vermont, came again to apply for a midshipman's warrant. I referred him to the Secretary of the Navy, to whom I had spoken in his behalf. My son John went out to Ross's to meet General La Fayette, and they arrived here between four and five o'clock P.M. The General was accompanied by Colonel Howard and Colonel Randall, members of a Baltimore committee of arrangements. Mr. George Washington La Fayette and Mr. Le Vasseur came in the stage, which the General and his two companions from Baltimore had quitted. They arrived about half an hour after the General.

Mr. Southard, General Brown, and Judge Hay were here in the evening. Mr. Southard invited the General to dine with him on Thursday, and invited me also—which I declined, on the same principle as I had the invitation of General Brown.

2d. I went with General La Fayette, Mr. Southard, Captain Morris, G. W. La Fayette, and Le Vasseur to the navy-yard, and visited the frigate Brandywine, which is preparing for sea. We went on board the ship and examined every part of her.

A salute was fired from the shore on our boarding the ship, and the Marine Corps, with their band of music, were paraded at the gate of the navy-yard and on the wharf at the side of which the ship was lying. The ship is to be moved down below the bar to-morrow. We returned at half-past twelve, and from one to three the General received visits.

5th. Mr. Rush mentioned several subjects relating to the administration of the Treasury Department, and Mr. Southard several concerning that of the Navy—among which was the substitution of three captains in the place of Biddle, Downes, and Ridgely, for the trial of Captain Stewart. I thought the change ought to be made. I remarked to Mr. Southard the difference in the indications of public sentiment upon the trials of Porter and of Stewart. And he said that here all the apparent show in Porter's favor was made by the partisans of Mr. Crawford. I noticed to him the singular inconsistency between Mr. Hayne's letter to him in relation to Porter, and the malignant attacks of the Charleston Mercury, known to be under Hayne's control and edited by his wife's brother.

6th. We dined at two o'clock. Mr. Erwin and Mr. Tench Ringgold, the Marshal of the District, dined with us. At four, General La Fayette, his son G. W., Mr. Ringgold, and I departed on a visit to Mr. Monroe at Oakhill. My son John and Mr. Le Vasseur went with us; and the General's valet-de-chambre, Bastien, and Antoine Michel Giusta, in a carryall with one horse, took the baggage. William, the groom, followed us on horseback. We crossed the Potomac bridge, and rode sixteen miles to Fairfax Court-House. Arrived there just after sunset, at seven in the evening, and lodged at Bronaugh's Hotel. Several of the residents in the neighborhood came to pay their respects to General La Fayette.

7th. Soon after five we left Fairfax Court-House, where I had found a very tolerable lodging, and rode seven miles to a Mr. Mitchell's, where we breakfasted—not a regular tavern. Mitchell was an old man, who had been in the war of the Revolution, and is now a lame invalid. Continuing our road, about six miles before reaching Mr. Monroe's, one of the cross-pieces of wood over the fore axle-tree of our carriage, and upon

which one of the springs of the carriage rested, snapped short off. Mr. G. W. La Fayette and Mr. Ringgold then left the carriage to the General and me, after splicing the wounded crosspiece as it could be done at the moment, and they went on, alternately walking and riding in my son's tandem gig, changeably with John and Le Vasseur. About three miles short of Mr. Monroe's house we met Mr. George Hay, taking a morning ride on horseback to meet us. We got to Mr. Monroe's house just before noon, and our fellow-travellers joined us there about an hour later. We found Mr. Monroe in good health and spirits. Mrs. Hay and her daughter Hortensia were there, but Mrs. Monroe is at New York with her daughter, Mrs. Gouverneur. We found there also Dr. Wallace, an eccentric personage, who spent great part of last winter at Washington with Mr. Monroe, and had just arrived here upon a visit. There was also a Mr. Roland, heretofore a neighbor of Mr. Monroe's, lately removed to the Arkansas Territory, and Receiver of public moneys at Batesville. There were several other visitors in the course of the day, whose names escape my recollection. There was a heavy thunder-shower about the dining hour, and the evening was fresh and cool.

8th. The night was cool, and this morning fresh, but I was all this day unwell. The heat of the season returned in all its force, so that we were confined almost entirely to the house. Numerous visitors came in the course of the day. Mrs. Noland, her son-in-law, and daughter, Berkeley; Mrs. Armistead, Ludwell Lee, and his son, Richard Henry Lee, who remained at dinner. General La Fayette had had an invitation from Leesburg since soon after his arrival in this country, and goes there to-morrow. He is invited also to lodge at Mr. Ludwell Lee's to-morrow night. Mr. Lee gave me an invitation there also, which I accepted. His son left, on going away, a letter for me, explaining two letters which he had written me last winter. The names of several of the visitors this day were not mentioned to me, or not remembered by me. The day was spent in desultory conversation with Mr. Monroe, Mr. Hay, General La Fayette, Dr. Wallace, Mrs. Hay, and the visitors at the house. Dr. Wallace engrossed much of the conversation, and

was much gratified by the appearance on the porch of the house of a small moccasin snake, which he caught, and descanted on for perhaps an hour, showing us all its beauties, and especially the venom-bag under its forked tongue. He told me he was just recovering from a dropsy brought on by his swallowing the whole contents of a rattlesnake's venom-bag. The Doctor is extremely solicitous to go out in the Brandywine as an extra surgeon.

9th. Perhaps the hottest day of the season. Between nine and ten this morning, two troops of horse arrived at Mr. Monroe's, from Leesburg, to escort General La Fayette thither. They brought also a carriage, in which, with Mr. Monroe and Mr. Henderson, one of the Committee of Arrangements, I accompanied the General. His son, Mr. Le Vasseur, Mr. Hay, Mr. Ringgold, my son, and Dr. Wallace, followed in other carriages. In about two hours we came to a field, just at the entrance of Leesburg, where several militia companies were drawn up, which were reviewed. Thence we proceeded to a public house, where the General was addressed by the Mayor, Dr. McCabe; and, after numerous introductions of persons of both sexes, we proceeded to the Town Hall, in the yard of which the General was addressed by a boy of about twelve years old, then by a few lines of verses by a little girl of five or six, and finally, under the porch of the Hall, by Mr. Ludwell Lee, for the county. The General answered them all. We went back to the public house, where new introductions were undergone, and about five o'clock repaired to a public dinner, under a canopy in the Court-House yard. There might be at this dinner about a hundred persons. There was toasting to the General, to the late and present Presidents, and many others. We left the table about sunset, and went to a Mr. Mason's, where two children were baptized, one named Mary La Fayette, to which the General stood sponsor, and the other Maria Louisa, for whom, at the request of the parents, Mr. Monroe and myself were sponsors. The parents of the children are relations of Dr. Wallace, who was there, and, I believe, much concerned in the management of the affair. We then, after stopping again at the public house to join our companions, left Leesburg, and about

nine in the evening reached Mr. Ludwell Lee's house, five miles from Leesburg. The escort from Leesburg left us, and returned home, leaving still a numerous company as guests to Mr. Lee. A chamber, with two beds, was allotted to Mr. Monroe and me. We found at Mr. Lee's several ladies of his family, and Mrs. Catlett, of Alexandria, as a visitor. A full account of this day's proceedings will be published in the newspapers. I have no pleasure in such scenes.

10th. The night was oppressively hot, and this day still more so. The General was detained in writing for the press his answers to the addresses of yesterday, and his toasts, so that it was between nine and ten when we took our leave of Mr. Ludwell Lee, and of Mr. Monroe, who returned home to Oakhill. We had a blazing and suffocating day; and a choice of roads most unfit to be travelled by light carriages and pampered horses. We stopped for an hour, after riding about eight miles; then proceeded about a mile on an old road which had been recommended as not so bad as the others, but upon which we found we could scarcely fail of oversetting if we proceeded. We returned, and took the turnpike road, hilly and excessively rough, nine miles to Drane's. On ascending the hill called the Bull's Neck, within a hundred yards of the house, the most spirited of my four horses fell, never again to rise. He was bled in the neck and leg, but died in about three-quarters of an hour. We had sent word this morning to Mrs. Adams to expect us home to dinner at five o'clock, which this accident rendered impossible. We stopped to dine, and give rest to the surviving horses, at the inn. After dinner, between five and six, we proceeded, taking the thill-horse of my son's gig for our fourth in the carriage. We came to the Little Falls bridge soon after sunset. The road from the bridge to Georgetown is very bad—but we reached home safely, about nine in the evening.

11th. I found a great accumulation of letters, dispatches, and business in the course of four days' absence, which absorbed all my time. Mr. Southard is engaged in making the arrangements necessary for dispatching the frigate Brandywine, which is to be ready by the first week in September. She left the

wharf, where we had gone on board the 2d instant, two days after, and was lying at the mouth of the Eastern Branch on Saturday, as we were going to Loudoun. She is now nearly opposite Alexandria.

The decision of the Court-martial upon Captain Porter was made this day, but was not transmitted to me. General Brown came, and introduced to me Colonel Thayer, Superintendent of the Military Academy at West Point, and they both dined with me. General Jessup came to introduce Mr. Nielson, who is from Kentucky. Mr. Rush brought papers—recommendations for appointment, of lieutenants to the revenue cutters building at Baltimore. Dr. Watkins and Dr. Thornton came in the evening. The multitude of my occupations, and the intense heat of the weather, leave me not a moment for writing in the journal. While absent from the city on our excursion to Oakhill and Leesburg, I could not write, and now, while retrieving that time, the present day slips away, to be recorded hereafter.

12th. Mr. Southard brought me all the proceedings of the Court-martial on the case of Captain Porter, and proposed that we should read them together. But the defence was incomplete. Walter Jones was his counsel, and, although the Court had directed that the defence should be delivered in writing, Jones had complied with this direction only in appearance, speaking as if from a written paper, but in reality expatiating from a brief. This defence was delivered last Friday and Saturday; and by the indulgence of the Court, Jones was allowed till Monday to produce it in writing. It was then not ready, and the Court adjourned from day to day, that he might bring it in, till Wednesday. The Court then passed an order that if the defence should not be delivered the next morning they would make up their decision without it, of which they directed the Judge-Advocate to give notice to Captain Porter. The next day, that is, yesterday, a manuscript, purporting to be the defence upon the first charge, was delivered in, with a promise that the rest should be furnished as soon as possible. The Court, however, made up their decision without waiting for it; and thus the papers were brought to me, with an additional manuscript of about half the defence on the second charge,

which was delivered to the Judge-Advocate this morning, but had not been before the Court. And it was stated that the remainder would be ready in the course of this day. But Mr. Southard said Mr. Coxe, the Judge-Advocate, had told him that the manuscript differed materially from the defence as it was delivered in Court. I observed to Mr. Southard that I could receive and act upon no paper not transmitted to me by the Court itself; and yet that it would be extremely irksome to me to decide upon the sentence of the Court without that which the accused considered as his defence. I thought it best, therefore, not to read any of the papers at present, but to send them back to the Court, together with that portion of the defence which had been delivered this morning to Mr. Coxe; and with an intimation to the Court of my wish that they would so far indulge the accused as to receive and transmit the remainder of his defence. Mr. Southard prepared accordingly such a letter, which, after a slight revision, was transmitted with the papers to the Court.

13th. General La Fayette, with his family, left us this day to go upon his farewell visit to the Ex-Presidents Jefferson and Madison. General Brown called on him before his departure. Pinkney is a son of the late William Pinkney, of Baltimore, who introduced himself, and made some peevish remark at his being summoned to attend here as a witness before the Court-martial now sitting for the trial of several naval officers. He intimated that Baltimore was not respectfully treated because there were no great men there—a remark of which it seemed to me doubtful which was most conspicuous, its absurdity or its impertinence. Dr. Wallace informed me that the child at whose christening we attended last Tuesday at Leesburg, and to whom General La Fayette stood sponsor, died that same night. And such is human life. The child appeared at the ceremony to be in very good health.

Mr. Hopkinson and General Taylor paid us evening visits. They are here as counsel to Captain Charles Stewart, who is to be tried by the naval Court-martial now in session, upon numerous charges relating to his conduct while commander of our squadron in the Pacific Ocean.

The decision of the Court upon Captain Porter was this day brought me by Mr. Southard, together with the voluminous documents of the trial. The Court received the whole defence as finally delivered by his counsel, W. Jones; but remark that it differs materially from that which was orally pronounced before them. It contains particularly some severe insinuations and assertions against the Judge-Advocate, Coxe, which the Court declare to be altogether unfounded. Mr. Southard engaged to call to-morrow to commence the reading of the papers, which will take two or three days to get through.

14th. Mr. Southard called upon me after the morning service, but I had read part of Captain Porter's defence, which he had already perused, and I agreed to read the remainder of it by myself this day.

16th. Southard, S. N. Morning and eve; concluded reading proceedings of Court-martial on Captain Porter. Compared the citations from Adye, McArthur, and Macomb on Courts-martial.

17th. Southard, S. N., with the sentence of the Court-martial on the case of Captain D. Porter, which I approved, according to the precedent in the case of Captain Barron. He read also the proceedings of the Court on the trials of Lieutenants Whitlocke and Hunter, which he is to approve.

20th. Vaughan, Charles Richard, Envoy Extraordinary and Minister Plenipotentiary from Great Britain, presented by D. Brent in the absence of the Secretary of State. Mr. Vaughan delivered to me three letters from the King of Great Britain—one, the recall of Mr. Stratford Canning; one, his own credential letter; and one, the recredence of Mr. Rush. He made a very short address on delivering them, which I answered.

Addington, H. U. Doyle, Mr., an attaché to the Legation, and —— Sturt, captain of the Phaeton frigate, which brought Mr. Vaughan to Annapolis, were with him. Mr. Vaughan presented Captain Sturt and Mr. Doyle to me.

22d. Brent, Daniel, with sundry dispatches from the Department of State. Mr. Clay arrived here last evening, but is unwell, and has not been out this day; saw in a newspaper the account of his daughter's death, only a few miles from hence.

23d. Clay, Henry, S. S. His daughter died two days after he left Lebanon. Conversation upon public affairs. I sent Mr. Clay Governor Troup's last letters, requesting him to read them, and pass them to the other members of the Administration for a subsequent consultation. General La Fayette; the frigate Brandywine; W. C. Somerville; Sweden and Greece; State of Kentucky, good principles prevailing there.

Brown, General, with Andrews, T. P. Major Andrews spoke generally of his transactions in Georgia, and mentioned the pecuniary speculations of Campbell, the Commissioner of the United States, upon the money to be paid to the emigrating Indians. Andrews's report will be ready in two or three days.

26th. Bangeman Huygens. Delivered his credential letter from the King of the Netherlands as his Envoy Extraordinary and Minister Plenipotentiary, with a short address in French, which I answered in the same language. He was introduced by H. Clay, Secretary of State, and subsequently presented his son, an officer of artillery, but attached to the Legation.

Cabinet meeting at two. Present, H. Clay, S. S., R. Rush, S. T., and S. L. Southard, S. N.

Questions. 1. Whether any, and, if any, what answer to be given to Governor Troup's letters of denunciation against General Gaines and T. P. Andrews; and, 2. Whether any notice to be taken of Campbell, U. S. Commissioner's, avowal of pretensions to pecuniary profits from having the disbursement of moneys for payment to Creek Indians.

Much discussion upon the first point. Mr. Clay thought no censure could with propriety be cast upon General Gaines; that Troup's letters might be left without answer, or be briefly answered with great caution and delicacy. He thought this second alternative would be best, and that it was important explicitly to deny that any instructions had been given to any officer of the U. S. authorizing them to insult the Governor or authorities of Georgia.

I doubted whether it would be possible to answer and deny injurious imputations without entering upon useless and humiliating discussions, in which even victory would be disgraceful.

After much deliberation, I conclude to draft a letter from the

Secretary of War to Governor Troup, answering his letters to me, to be submitted at a meeting next Tuesday for consideration. The report of Major T. P. Andrews was delivered to me during the meeting of this day by Major Vandeventer—very voluminous, and with many documents.

Custis, G. W. P., paid me a morning visit. Company to dine —Captain Allen, of the Cadmus, who arrived this morning, Mr. Custis, Thomas and Alexander Hopkinson, Mr. Kemper, member of the Committee of Arrangements who had accompanied the General here from Warrenton, General La Fayette, his son George, Mr. Le Vasseur, and De Syon. Mr. Clay declined dining with us, being not well, but came in the evening, and spent an hour with us.

27th. Southard, S. N., came with Captain Morris, appointed to command the frigate Brandywine. Brought also and showed me the drafts of his instructions to Morris, to Gregory, who goes as First Lieutenant, and to Rodgers. General La Fayette is to be landed at Havre, if practicable; then Morris leaves her, and is to visit the naval establishments in France and England, with a view to any improvements which may be introduced into our own. He is expected to return in six months. I made to him some observations as to the course he should pursue in the event of any difficulty or obstruction to the landing of General La Fayette occurring in France. I told him that, as it was impossible to foresee specifically such an event, I must barely give him a general caution to be prepared for it as probable, and that I should rely entirely upon his firmness and prudence to meet it. We spoke of a passage in the ship for W. C. Somerville,[1] who, after conversing with Morris, thought that the attainable accommodations would not suit his state of health. He went to Philadelphia to consult Dr. Physick, and concluded to embark in a packet from New York. I told Morris I had special reasons for wishing that Somerville should go in the frigate, and he said that good accommodation for him should be found or made. Mr. Southard is to write to

[1] Mr. Somerville, who had given much promise as a writer on various topics, now appointed to a diplomatic mission, had early been threatened by the disease which soon afterwards proved fatal.

him at Philadelphia and request him to come here. There was mention also of a Lieutenant De Bonneville, whom General La Fayette had invited to go to France with him before he expected to go in the frigate; for whom he also obtained from General Brown a furlough of a year for that purpose, and who is now here, expecting to go with him. There is difficulty in providing accommodation for him. The General has not mentioned him, and perhaps knows not that the young man expects to go with him. I am to speak to the General concerning him.

28th. Conversation with General La Fayette after breakfast. I take every opportunity to dissuade him from having any participation in revolutionary projects in France. He says he will go quietly to La Grange; that he is sixty-eight years old, and must leave revolutions to younger men. But there is fire beneath the cinders. I spoke to him of Somerville, and my intentions; upon which he said he would give up his own berth to him if necessary. Of Bonneville. He did invite him to go with him to France, thinking then to go in one of the packets, and will be glad if he can be accommodated in the wardroom.

29th. Major Vandeventer brought a letter of 15th August from Governor Troup, of Georgia, to the Secretary of War, full as usual of "guns, drums, trumpets, blunderbuss, and thunder," but declaring that he will not make the threatened survey of the Creek Indian lands. Mr. Southard came to recommend a chaplain for the frigate Brandywine. We fixed upon a Mr. Ogilvie, of New York. Southard said he would speak to Captain Morris, that a passage may be secured to Lieutenant Bonneville as of the suite of General La Fayette. General Hughes came with Mr. Brent to take leave, being upon his return to New Orleans. Mr. Bakewell, who came with Mr. Baker, had various important suggestions to make, one of which was the necessity of taking measures for abolishing the custom among the Choctaw Indians of destroying old women for witchcraft. He says that infanticide, which was very common, has been put down, and whipping a few of the culprits would suffice to put an end to the other detestable practice. Mr. Bakewell promised to make a communication upon this subject to the War Department. General Smith and the Mayor and President of

the Common Council of Georgetown came with a view to making arrangements for joining in the procession to escort General La Fayette to the steamboat the 7th of next month. Mr. Young is a nephew of Mr. Coxe. Mr. Ringgold, for whom I had sent, came on the same subject. General La Fayette, his son, and Mr. Le Vasseur left us this day, to go on a visit to Woodlawn and to Mount Vernon, to return here to dinner the day after to-morrow.

PHILADELPHIA, *October* 25th.—Old Mr. Peale called on me after breakfast. I went to his house with G. Sullivan, and saw his full-length portrait of Mr. Gérard, the first Minister of France to the United States, which Peale painted in 1778 for the old Congress, but it was never delivered. We saw also a full-length portrait of Lord Baltimore, the first proprietor of Maryland, for which Peale gave seven Governors of Maryland of his own painting to the Council of the State at Annapolis. He thinks it was painted by Sir Godfrey Kneller, or Van Dyke, and intends to ask a thousand dollars for it. Saw his son Titian, who stuffs birds and draws for Lucien Bonaparte, Jr.'s, sequel to Wilson's Ornithology. Mr. Peale went with us to the Museum in the State-House, where we saw many curiosities of natural history. There was a static chair there, in which I sat down, and found my weight one hundred and seventy-six pounds. We thence went to the hall of the Franklin Institute, where I had been invited by Messrs. Haviland and Browne, to see the model of an arcade to be built in the city by subscription. Returned to my lodgings at the Mansion House, and thence proceeded to the steamboat Baltimore, Captain Wheldon. Hopkinson, R. Peters, and several other gentlemen accompanied me to the boat. On leaving the wharf, at noon, a crowd of people collected there gave three cheers to the President of the United States. The Duke of Saxe-Weimar, Messrs. Salazar and Obregon, Gomez, and Vallenilla were on board. We reached New Castle at four. I took a whole stage, and invited Mr. and Mrs. Hand, of Washington, who were on board, with a little daughter three years old, and a black servant-girl, to ride with me; also Mr. Philippon, General La Fayette's friend, who introduced himself to me, and Colonel

Henry Sargent, of Boston, the painter. We arrived at Frenchtown between seven and eight, and found there the steamboat Constitution, Captain Robertson, in which we soon departed for Baltimore. The English Captain, McNeal, was also a fellow-passenger with us. The Duke dislikes the English, and particularly the Duke of Wellington.

26th. At two in the morning we arrived at Baltimore, and I bespoke immediately a stage carriage to proceed to the city of Washington. The carriage came to the wharf about three, and Mr. and Mrs. Hand, with their daughter and maid, Colonel H. Sargent, and Mr. G. Sullivan, came on, by my invitation, with me. The carriage stopped at the stage-office, next door to Barnum's, and Sullivan had some difficulty to resist a claim of a man who insisted upon a right to have a seat in the stage, although I had the whole carriage. It was thus near four when we started from Barnum's and Sullivan put into my hand two letters which had been given him for me. It was dark, and I could not read them until we stopped to breakfast at Merrill's Inn, Waterloo. I then found one of them was from four respectable citizens of Baltimore, requesting me to stop there for a few days, to give the inhabitants an opportunity of showing respect to me. The other was from the manager of the theatre, inviting my attendance there this evening. It was too late. We breakfasted at Waterloo with the passengers of the mail stage, among whom was Mr. James Baker, brother of the British Consul-General. The day was very warm, and we arrived safe at Washington about eleven o'clock.

27th. Barbour, S. W. In the steamboat at Frenchtown I had observed a large circle round the moon, and expected foul weather within forty-eight hours. It came in a heavy gale and copious showers all this day and evening. Yet my time was absorbed from breakfast till dinner with the visitors—the Secretaries all conversing upon public affairs, and bringing me multitudes of papers, which I had no time to assort, and still less to dispose of in a satisfactory manner. Mr. Clay is in deep affliction, having lost two daughters in the course of a month. The last was married at New Orleans, and he has received within a few days the account of her death. His own health

is so infirm that he told me he feared he should be obliged to resign his office; but said he would try to retain it through the winter, and declared himself entirely satisfied with my conduct towards him, and with the course of the Administration hitherto. He mentioned his proceedings with Mr. Pedersen, the Danish Minister, who is here and has presented a project of a commercial Convention. He spoke also of recent dispatches received from R. King and James Brown, our Ministers at London and Paris. Mr. Bangeman Huygens, the Dutch Minister, introduced to me Captain Ryk, Commander of the Netherlands corvette Pallas, now at Norfolk, and in which the Duke of Saxe-Weimar came to the United States. She is about returning to Europe. Dr. Watkins had mentioned to me yesterday Commodore Porter's desire to have a furlough of three or four years, to enter the Mexican service without leaving ours. I read the article of the Constitution which prohibits officers of the U. S. from accepting any office from a foreign power, and asked how Captain Porter intended to dispose of it. Dr. Watkins had a letter from Mr. J. Barney, Baltimore, complaining of my passing through that city without stopping. My time was so much absorbed that the day was wasted and nothing done but signing two hundred and three Mediterranean passports.

November 12th. IV. 45. Walk to Capitol Square. Sun rose 7.1, clear.

Barbour, James,[1] S. W., with his report and appended documents. Questions whether some parts of General Gaines's letters should not be omitted in the communications to Congress. I thought the whole should be sent. He has a letter from J. Williams, of Tennessee, who offers to go to Georgia as a mediator with Crawford and Troup. This I think altogether useless. Williams thinks General Jackson, Calhoun, and Clarke, of Georgia, in league together. Barbour has also another letter from Crawford—like the two former. Barbour sent me one of the letters of Gaines which he proposes to eliminate. He spoke also of the medals at the War Department.

[1] From this time the record is usually made, specifying in the margin the visitors on each day.

14th. Clay, H., Secretary of State. Mr. Gallatin declines going to Panama. Mr. Clay has written him a private letter urging him, but thinks without effect. Mentions several other persons as proper for the appointment.

Duke of Saxe-Weimar going, the day after to-morrow, on his tour to New Orleans, and perhaps to Mexico. Expects to return here next spring. He visited Mount Vernon yesterday. McKenney, T. L., brought me the casts of two medals executed by Fürst. Afterwards sent me others of Mr. Monroe, Mr. Madison, and the second Presidency of G. Washington, 1796. All badly executed. There are a few medals of the military officers struck upon tin.

15th. VI. Fog. Walk to the Capitol.

Lawrie, Dr., minister of a Presbyterian church, came, and said there would be this morning a meeting of clergymen, who proposed to send a committee to me to request the appointment of a day of thanksgiving and prayer in this District (the 24th of this month). He enquired if I should have any objection to making the appointment.

I said, none myself; but I would consult the members of the Administration and answer him to-morrow.

Colonel Roberdeau and Lieutenant Wolfe Tone were here. I spoke to the Colonel of the mathematical and astronomical instruments at the War Department, and he said he was preparing a historical memoir upon the Engineer Corps, which I requested to see.

Colonel Wool came and took leave, going upon a tour of inspection to the South. He asked if I had decided the question upon brevet rank, and granting brevet upon brevet. I had not.

Barbour, Secretary of War, was here. Conversation with him concerning the preparation of the message. I gave him a letter from Mr. Hammond, Agent for the State of New York, urging that the U. S. should purchase of New York certain fortifications erected by the State in the harbors of that city; and spoke to him of a letter I have received from Daniel Putnam, and of the Revolutionary Pension Laws. I employed the little leisure of the day in reading papers for the preparation of the

message. Evening employed upon it, and laboring with it—not for matter, but for brevity.

16th. Scott, Alexander, came to solicit a place—anything profitable, but chiefly an Agency to South America. He brought me a letter of solicitation from himself, and one of recommendation from Mr. Monroe. His perseverance in pursuit of place is exemplary.

Clay, H., Secretary of State, Rush, R., S. T., and Southard, S. N., came at one, as I had sent to request that they would. Governor Barbour sent an apology. His little son has the croup. Mr. Lawrie's proposition for the appointment of a day of thanksgiving and prayer within the District. All the members of the Administration present were against it; objected to it as a novelty—as liable to imputations of political purposes, of introducing New England manners, of using a high authority for an inferior measure. I acquiesced in these opinions.

Clay had a letter from Gallatin, still declining to go to Panama. Several other persons named and discussed. I desired Clay to write to John Sergeant.

17th. Walk to the Capitol Square—one hour and twenty minutes. Sun rose beclouded.

McLean, John, Postmaster-General. I desired him to make me a report upon the concerns of the Department, which has been usual yearly since he came into the Post Office. It had not heretofore been customary, but the practice was introduced within these few years by Mr. Monroe, and appears to be much approved.

He says the affairs of the Department are flourishing. Spoke of the proposed amendment to the Constitution of the United States relating to the election of President, and of the party spirit with which it will be brought forward. He thinks it would be an amendment to divide the whole Union into single districts, each to choose one Representative and one Elector, and two Electors in each State to be chosen by its Legislature. I am of the same opinion.

19th. Roberdeau, Colonel, came at eleven. I walked with him to W. Elliott's, on Capitol Hill, where, with a small transit instrument, they observed the passage of the sun over the

meridian. Conversation about the erection of an observatory. Returning home, I stopped to see Mr. Clay, who is confined to his chamber with an attack of cramps in the stomach. Convalescent. He mentioned the news of the murder of a Mr. Sharp, at Frankfort, Kentucky; also the expectation of a proposition to be made in the Legislature of Kentucky by Mr. John Pope. Spoke of the claims of our merchants upon France, and intimated that reprisals ought to be recommended, or at least alluded to, as to be advisable hereafter. Before I left him, Judge Thruston came in.

I found General Brown at my door, and Mr. Valero, the Secretary of the Guatemalean mission, in the house. He had brought me two handsomely bound copies of the Constitution of Guatemala, presented by the President of that republic, Arci, and of which Mr. Cañaz had spoken to me.

General Brown had sent me a manuscript narrative of the campaign of 1814 on the Canada frontier, and his differences with General Ripley, with documentary vouchers, for my perusal. I had not read them entirely through. He spoke also of political affairs, and the issue of the New York election; of the Postmaster-General, his feelings and views.

Governor Barbour came in, and left with me a report on the subject of our relations with the Indians, with several documents, and a New York National Advocate, in which are some reflections on the proposal that the United States should be represented at the Congress of Panama, favorable to the measure; also a paragraph insinuating that he (Governor Barbour) did in a debate in U. S. Senate charge Mr. R. King with being one of a party in 1786 who proposed sending for Prince Henry of Prussia to come to this country to be King. Barbour said it was a perverted misrepresentation of something once said in debate by him of such a project having once existed. Mr. King had taken up the imputation with much excitement, but he (Barbour) had never intended to charge King with being a party to the project, and had no reason to believe that he had been. He asked me if I thought he ought to notice this paragraph in the Advocate, by contradicting it in the newspapers. I said Noah had got into an editorial war with Charles King,

and had boasted that there were twenty-four Senators pledged to vote against the confirmation of R. King as Minister to England. Perhaps he meant that some use should be made against Mr. King of this imputation in the Senate. I thought it would be better to present it there than in the newspapers.

He said he would speak of it to Mr. Gaillard. He approved of the determination against the appointment of a day of thanksgiving.

Hughes, Christopher, Chargé d'Affaires to the Netherlands, now at home on leave of absence. Told me of all the civilities of the King, Queen, and Prince Royal of Sweden to him; and of all the Corps Diplomatique, his colleagues; of the extraordinary talents of his son for drawing; and of all the spirited puns he has been making since his return to this country. He kept me till near dinner-time.

21st. IV. 30. To centre of Capitol Hill Square—forty minutes going, thirty-five returning. Sun rose in haze.

A Mr. Read, from Connecticut, came here with a young man named White, who is about to publish a second edition of a Universal Biographical Dictionary, in one octavo volume. They wanted my subscription and recommendatory certificate, which I declined giving, but agreed to take two copies of the book. Read had addressed me in a formal speech.

Brown, General, came, and entered upon a long political conversation until we were interrupted. It concerned much the Postmaster-General, McLean, and Mr. H. Lee, whom he has introduced into the office as an assistant.[1] The General wishes to engage friendly dispositions on my part towards them. I told him what had passed concerning Mr. Lee; and assured him that neither of them should experience injustice or unkindness from me.

Barbour, James, S. W., who took back his papers relating to Indian concerns—particularly the draft of his report urging the necessity of incorporating the Indians within our own

[1] Henry Lee, of Virginia, a person reputed to have extraordinary abilities, but whose personal history and political tendencies were so equivocal that this selection was the first act which raised doubts of the fidelity of Mr. McLean to the Administration.

system. He mentioned having had a conversation with Mr. Gaillard, a Senator from South Carolina, who wished that something conciliatory to the South might be said in the message, to calm their inquietudes concerning their slaves. He wished something to sustain the friends of the Administration against the overwhelming influence of the Calhoun party, which they had been unable to resist, and by which they were oppressed.

I said I should be glad to do anything in my power to gratify Mr. Gaillard, but the Legislature of South Carolina itself had put it out of my power to say anything soothing to the South on that subject—by persisting in a law which a Judge of the Supreme Court of the United States, himself a native and inhabitant of South Carolina, had declared to be in direct violation of the Constitution of the United States; which the Attorney-General of the United States had declared to infringe the rights of foreign nations, against which the British Government had repeatedly remonstrated, and upon which we had promised them that the cause of complaint should be removed —a proviso which the obstinate adherence of the Government of South Carolina to their law had disenabled us from fulfilling. The Governor of South Carolina had not even answered the letter from the Department of State transmitting to him the complaint of the British Government against this law. In this state of things, for me to say anything gratifying to the feelings of the South Carolinians on this subject would be to abandon the ground taken by the Administration of Mr. Monroe, and disable us from taking hereafter measures concerning the law, which we may be compelled to take. To be silent, is not to interfere with any State rights; and not to interfere, renounces no right of ourselves or others.

Southard, S. N. Conversation upon his reports of January, 1824 and 1825, recommending a Navy Peace Establishment, the last of which I had not been able to find. I read to him the part of my draft of a message which relates to the distribution of our naval force and the recommendation of a naval school; as I had read to Governor Barbour that relating to the Creek and Georgia controversy. I had intended to convoke

the members of the Administration to-morrow for the first reading of the message. But, Mr. Clay being yet unwell, I postponed it until the next day.

22d. v. 30. Walk to Georgetown—one hour. Sun rose in haze.

Brown, General, with whom I resumed and finished the conversation concerning the Postmaster-General, McLean, and H. Lee, of whom I spoke to him as I felt. I had also read through and returned to him his manuscript narrative, and documents relating to the Niagara campaign in 1814. His opinion of Ripley's shrinking from responsibility, the influence under which he altered his report to the War Department containing an implied charge against Ripley, and gave him a certificate of good conduct, under a promise that it should be confidential and never published, the subsequent allusion to it by Ripley in a publication, and the interposition of Mr. Dallas and Mr. Monroe to pacify these differences, were, in all the details, new to me. Brown thinks that the anxiety to retain Ripley as a New England man in the service as a Major-General at the reduction of the army in 1816, was to propitiate a powerful influence of Mr. Monroe's electioneering party for the then ensuing election of P. U. S.

Rush, S. T., with sundry papers relating to concerns of the Department of the Treasury. I read to him the concluding part of my draft of a message, recommending the consideration of the subject of internal improvement in its full extent. He approved the whole; though I know it will not be approved by other members of the Administration.

Barbour, S. W., brought a letter from General Gaines's aide-de-camp, Butler, with a journal of the proceedings of the General at a council held with the Creek Indians the 30th of last month, and several succeeding days, and information that General Gaines himself, and also a delegation of eight chiefs, were coming here, and will be here in two or three days.

Southard, S. N., came with a bundle of papers relating to the case of Lieutenant Weaver, for my perusal, and a supplementary memorandum of subjects to be noticed in the message.

Clay, S. S. First time out since his attack of cramps. J.

Sergeant accepts the appointment to go as one of the Ministers to the Congress at Panama.

I fixed to-morrow at one o'clock for the Cabinet meeting for the first reading of the message.

My evening occupied upon the message. I have no other time that I can devote to it. The approach of the session of Congress warns me to recall straggling thoughts—to be prepared for severe trials, and to remember that "it is not in man that walketh to direct his steps."

23d. Cabinet meeting. Wirt, Attorney-General, absent. There was a discussion on a controversy with the State of New Jersey about the Pea-patch fortification. The United States took their title from the State of Delaware. But New Jersey claims jurisdiction and soil. A Dr. Gale was tenant under her, and dispossessed. He resorts to New Jersey for redress, and the District Attorney there, Stockton, was instructed to ask of the Government of New Jersey the cession of her claim to jurisdiction. But the Governor insists as a condition precedent that Dr. Gale's claim should be quieted by the United States.

Mr. Clay was warm against any compromise, and insisted that in any event the United States would recover by the decision of the Supreme Court.

Mr. Southard was equally confident of the title of New Jersey, and also warm. I advised Governor Barbour to write to Stockton and enquire how much would pacify Dr. Gale.

I read the first draft of the message, which took me about an hour and a half. There was some conversation as to the mode of discussing its topics. It was observed that remarks of a general nature might occupy this day, and at the next meeting (Friday, at one o'clock) it should be read again by paragraphs.

Governor Barbour objected to the whole concluding recommendations on the subject of internal improvements, and Mr. Clay thought there was much force in his remarks. The consideration of this, however, was postponed; but Mr. Clay objected to a sentiment expressed relating to the claims of our citizens upon France and several other European Governments. After stating that the justice of the claims on France was undenied and undeniable, and that reparation for them had long

been sought in vain, I stated that the United States would be fully justified in resorting to their own force for redress; but that force, instead of obtaining redress, was more adapted to aggravate than to repair such wrongs, and that our policy would be to persevere in urging the claims until justice for them shall be obtained, but explicitly without resorting to force or committing any hostility.

Mr. Clay insisted that this would be equivalent to a total abandonment of the claims. He was for recommending the issuing of letters of marque and reprisals, which, he insisted, would not be war; or at least for intimating to Congress that that measure would hereafter be advisable if France should continue to disregard the representations of our Minister.

To this measure, or anything like it, Governor Barbour was quite averse. He thought reprisals, even special reprisals, would be war, or certainly lead to war; that these claims, though considerable, were of long standing; that nobody in this country had the remotest idea of going to war for them; that, excepting among the claimants, there was not much excitement concerning them; and that to talk of going to war for them would excite more surprise than approbation. He said that he, as Chairman of the Committee of Foreign Relations of the Senate, had proposed in a report to use expressions far short of this, which were yet deemed too strong; and he deeply deprecated war.

Mr. Clay proposed three alternatives—to recommend reprisals immediately, to recommend them prospectively and contingent, and to say nothing about them. He would like the first the best, but either better than my abandonment of the claims, as he thought it would be generally considered to be. Mr. Rush inclined to Mr. Clay. Mr. Southard expressed no opinion at the meeting, but after it, on my enquiry, said he thought the recommendation against the use of force should be omitted.

25th. Clay, S. S. Rush, S. T. Barbour, S. W. Southard, S. N. Cabinet meeting from one till near five. I read over again by paragraphs the draft of a message, except the concluding paragraphs, respecting internal improvements. Numerous alterations and several omissions were proposed, chiefly by Mr. Clay

and Governor Barbour. The suggestion that we ought in no event to resort to force to obtain indemnity for claims upon France was struck out, but the substitute I had prepared was thought to savor too much of a recommendation of reprisals. I am to find a middle term between the two.

An intimation that the rank of our naval commanders ought to be raised is to be struck out, on the confident belief that it would be unavailing, expressed by Mr. Clay—Mr. Southard, however, being of a different opinion; and a paragraph relating to the Greek insurrection, of which I had myself the strongest doubts, is also to be expunged.

These changes are in no wise material, and abridge the message very little; but Governor Barbour expressed the wish that the whole of the concluding part, respecting internal improvements, should be suppressed. Mr. Clay coincided in this opinion partially; was for discarding the University, and perhaps some other objects, but for retaining great part of the other things proposed. Mr. Clay was for recommending nothing which, from its unpopularity, would be unlikely to succeed; Governor Barbour, nothing so popular that it may be carried without recommendation. Clay good-humoredly remarked this alternate stripping off from my draft; and I told them I was like the man with his two wives—one plucking out his black hairs, and the other the white, till none were left. However, we adjourned till two o'clock to-morrow to discuss the question thoroughly.

26th. Calhoun, J. C., Vice-President, called to visit me; conversed upon some topics of interest, and others indifferent. Generally of the prosperous state of the country.

[Twelve names of Indians in the margin.] This was the deputation of Creek Indians, who now came merely to take their Great Father, as the President is usually called, by the hand. After shaking hands with them all, and when they were all seated, I told the interpreter to say to them that I was glad to see them, and happy to meet them all in good health safe here after their long journey. I had heard some of them had met with an accident on the way and had taken hurt—I hoped not seriously.

The interpreter explained this, and Opothle Yoholo, the speaker of the nation and first chief on the deputation, answered for them all; said some of them had met an accident by the oversetting of the stage, and had been hurt; but they were now well, and another part of the deputation were coming on.

I said I was glad they were coming, hoped they would arrive soon, and that we should all meet in friendship.

He said they were glad to be here, as things had happened which had frightened them; and they hoped that now all would be well again.

I said that was my desire. I had also heard of things that displeased me much, but I expected that they would arrange matters with the Secretary of War to the satisfaction of all.

After refreshments had been carried round, the Secretary of War enquired if there was anything further that they wished to say. Opothle Yoholo answered, no for the present, nor until the other part of the deputation shall arrive. They all shook hands with me again, and took leave. They are almost all good-looking men, dressing not, as the Cherokees, entirely in our costume, but somewhat fantastically. But their countenances, and especially that of Opothle Yoholo, were remarkable by a dark and settled gloom.

Clay, S. S. Rush, S. T. Barbour, S. W. Southard, S. N. The adjourned Cabinet meeting followed immediately after the departure of the Indians. The first question was upon the whole of the concluding division of the message as projected.

Mr. Rush desired that the whole of it might be read again. I read it. Governor Barbour then withdrew his objection to it as a whole; but he and Mr. Clay persisted in objections to many detached parts of it. Mr. Clay wished to have the recommendations of a National University and of a new Executive Department struck out; almost everything relating to the Patent Office; and the final enumeration of all the purposes of internal improvements for which I asserted that Congress have powers. I agreed to give up all that relates to the Patent Office; and upon discussion most of the particular objections were abandoned. The University, Mr. Clay said, was entirely hopeless, and he thought there was something in the

constitutional objection to it; for it did not rest upon the same principle as internal improvements, or the bank. I concurred entirely in the opinion that no projects absolutely impracticable ought to be recommended; but I would look to a practicability of a longer range than a simple session of Congress. General Washington had recommended the Military Academy more than ten years before it was obtained. The plant may come late, though the seed should be sown early. And I had not recommended a University—I had only referred to Washington's recommendations, and observed they had not been carried into effect.

The new Executive Department, Mr. Clay said, was of most urgent necessity. No one knew it better than he. Yet he was sure there would not be twenty votes for it in the House. He did not believe there would be five.

I said it was not very material to me whether I should present these views in the first or the last message I should send to Congress. They would not suit any other; but in one of them I should feel it my indispensable duty to suggest them. There is this consideration for offering them now—that of the future I can never be sure. I may be not destined to send another message.

Mr. Rush very earnestly urged the communication at this time. And Clay said he was anxious that almost the whole of what I had written should go. He himself was fully convinced that Congress had the powers; but he had no doubt that if they did not exercise them there would be a dissolution of the Union by the mountains.

The result of all was, that Barbour very reluctantly withdrew his objection to the whole topic; that Clay approved of the general principles, but scrupled great part of the details; Rush approved nearly the whole; and Southard said scarcely anything. Thus situated, the perilous experiment must be made. Let me make it with full deliberation, and be prepared for the consequences.

Governor Barbour read an answer which he had written to the enquiries of Charles King. It denies his having charged Mr. R. King with having been concerned in the year 1786 in

a project to send for Prince Henry to come over to be the King of this Union, and gives some account of the debate in Senate in which this project was alluded to.

Mr. Clay thought the denial that Mr. Barbour had intended in the debate to implicate King was not sufficiently explicit, but Mr. Barbour thought he could not make it more so.

I had also received a letter from Charles King on this subject.

Mr. Clay said that he wrote the speech of Vice-President George Clinton which he delivered in Senate upon giving the casting vote against the renewal of the old Bank of the United States. He said it was perhaps the thing that had gained the old man more credit than anything else that he ever did. He had written it, but under Mr. Clinton's dictation, and he never should think of claiming it as his composition.

Mr. Southard had left with me papers concerning two refractory midshipmen, Van Dyke and Mooers, both of whom I advised him to order immediately to sea. He mentioned to me the death of Captain McDonough, and enquired whether any honorary notice of him should be issued from the Navy Department. There had been for Perry and Decatur; but it had been omitted in other cases of officers of the same rank. I thought this compliment due, not to rank, but to individual character, and wished it might issue for McDonough.

28th. Wirt, Attorney-General, here. Has been several weeks at Baltimore, and goes to-morrow again to Annapolis. He desired to see my message. I read to him the concluding part respecting internal improvements, which he thought excessively bold. He said there was not a line in it that he did not approve; but it would give strong hold to the party in Virginia, who represent me as grasping for power. He had been travelling about in Virginia last summer. He had found the Administration was gaining strength and friends there. But this subject was a great source of clamor. Patrick Henry's prophecy would be said to have come to pass: that we wanted a great, magnificent Government. It was a noble, spirited thing, but he dreaded its effects upon my popularity in Virginia. The reference to the voyages of discovery and

scientific researches in monarchies would be cried down as a partiality for monarchies; and the project of a voyage in search of the Northwest Passage would be brought as evidence that I am a convert to Captain Symmes. He held an argument of two or three hours to this effect.

Mr. Rush came in the while, and discussed the subject with him. Rush is as earnest for it as Wirt is against it. I concluded to make some alterations in that part of the draft, and, if it were fitting to be intimidated, should abandon the whole of it.

Mr. Southard, S. N., was here, and proposed to show some honor to Captain McDonough's memory. He died the 10th, at sea, coming home from the Mediterranean. Evening much engaged; still on the message; altered various passages.

29th. Governor Barbour came with papers relating to the Seminole Indians, in a starving condition in Florida. Letters from Mr. Walton, the Secretary of the Territory. The Indians complain that they were compelled by force last year to sign the treaty ceding their lands—one of the chiefs, it is said, by a whipping. They are now starving, and must be fed. The Creeks now here were in conference with Governor Barbour this day. It seems doubtful whether any arrangement can be made with them.

Governor Barbour brought me also the papers relating to the surrender by Lieutenant Patrick of a man named Alexander to British officers. He was a deserter from a British ship-of-war, and had enlisted in our navy.

I proposed to bring Lieutenant Patrick to trial by a Court-martial.

Governor Barbour thought he should be at once dismissed from the service.

Mr. Southard had letters from Commodore Rodgers, at Gibraltar, and one from Morris, at Paris. I received one from General La Fayette, at La Grange, of 12th October.

Scott, of Missouri, member of the House of Representatives, came with General Bissell, who claims to be Colonel of the Second Regiment of Infantry—or a right to the appointment.

Mr. Clay informed me that he was nearly ready to sign a Com-

mercial Treaty with the Minister from the republic of Central America, Cañaz, but seemed to think it best to postpone the signature till after the commencement of the session of Congress. He also gave me to read a private letter from General P. B. Porter, of New York, upon politics; expressing his surprise at my complacency towards the New York Clintonians, against whom the recent elections to the Legislature have turned. He says Judge Spencer will not be the Senator.

Mr. Rush came with the definitive statements of the revenue from the Treasury, for the message.

Day. I rise between five and six. Walk alternately to the Capitol and to Georgetown—an hour or an hour and a quarter. Read two or three chapters in the Bible, with Scott's and Hewlett's Commentaries; then papers on business till nine. Breakfast. Then have a succession of visitors, with very little intermission, till five P.M. Dine; and from half-past six till eleven am engaged writing or reading in my cabinet. The month has been chiefly occupied in preparing the annual message to Congress—a task of deep anxiety.

December 1st. [Seventeen names of visitors in the margin.]

Governor Barbour spoke very doubtfully of the issue of his negotiations with the Creeks, and somewhat despondingly. They are excessively anxious to have the line of the Chattahoochee River, which would leave them still some territory in Georgia.

I said I thought this inadmissible. It would still leave the root of the controversy in the ground. It will be better to lay the treaty, as it is, before Congress, to decide upon it as they think proper, than to set it aside and form another, leaving the bone of contention still to be fought for.

Mr. Rush came, inclining to the wish that I would recommend in the message the project of a breakwater near the mouth of the Delaware River. But, as it is a measure for the peculiar advantage only of the city of Philadelphia, I thought it would be better that it should be introduced by the memorial from the Chamber of Commerce, without apparent recommendation from the Executive. Most of the other names in the margin are of members of Congress who called on visits. They

are now coming in numerously every day. Captain Richard Derby is an applicant for the appointment of a Navy Agent at Boston if Binney should resign or his nomination be rejected. Mr. Southard brought me a report from Captains Bainbridge, Warrington, and Biddle, who have fixed upon a site for a navy-yard at Pensacola, near the Barrancas. I still made some slight alterations in the message, which is now, however, finished.

2d. Force called here before breakfast, and I gave him a copy of the message to be printed, under injunctions to guard against the disclosure of it before its time. He said he had been applied to from Cincinnati, and also from Alexandria, to print several hundred copies to be forwarded the moment it is delivered. I mentioned to Force Mr. Walsh's request to have a copy mailed the morning of the day when it will be delivered, and assented to it. Hagner came and took the papers relating to Mr. McKenney's claim.

General Brown called, and said General Gaines had spoken to him concerning his aide Lieutenant Butler's deportment towards Mr. Clay in this house last May. He said General Gaines regretted it, but had not answered General Brown's letter concerning it, because he could say nothing satisfactory about it. The thing was done, and not to be repaired. He spoke also of the Postmaster-General, who, he said, had been several days uneasy before I had called upon him for a report on the administration of the office.

I told him the delay had been altogether accidental; and that mention was made in the message of his management of the Department in a manner which I trusted would be satisfactory to him.

He said he had talked with Mr. Calhoun, and he thought Mr. McLean would exercise influence over him. I doubted Mr. McLean's having any influence over Calhoun, if he would not suffer Mr. Calhoun to have any improper influence over him.

Three members of the Senate and sixteen of the House paid morning visits. Mr. Bryan, of North Carolina, brought me a letter from the Governor of the State, H. G. Burton. Mr. Southard came with his report to be communicated with the

message to Congress, but we were so much interrupted by the succession of visitors that he took it away again, with a view of reading it to me to-morrow. Governor Barbour came with discouraging accounts of the negotiation with the delegation from the Creeks. Mr. Crowell, the Agent, is here, and says that General Gaines misunderstood the Creek chiefs at their last meeting. The proposition which they had admitted to be reasonable they had understood as a line by the Chattahoochee River, reserving still about one-third of all their lands in Georgia. Gaines's statement of it was, that they were to cede all the lands within the State of Georgia.

Mr. Whitwell and Captain Macdonald came with Mr. Law. Whitwell had a letter of introduction from Mr. Rush, written at London last December. Macdonald brought a letter from Mr. Owen of Lanark, with a model of one of his hollow-square establishments, of which he makes a dwelling-house for nine hundred or a thousand persons. He presents the model for the General Government, and says the combination of buildings and other arrangements is designed to effect an entire change in the human character and in the proceedings of mankind. These gentlemen are to bring the model to me to-morrow at eleven.

I had some conversation with Mr. Taylor upon his prospect of being elected Speaker of the House. He expects his principal competitor will be Mr. McLane, of Delaware. Cambreleng, who is prepared for a radical opposition, told Judge Van Ness that they would start a number of candidates with a view to defeat Taylor. They expected to be three or four days in making the choice, and would finally concentrate upon any one opposed to the Administration. Taylor said if there was any other friend to the Administration with a better prospect of success, he would readily give way. He will call on me again before the election.

3d. Dr. Watkins came to say that in a conversation with Mr. Webster he appeared to be undecided whether to be a candidate for the Speaker's chair or not; that last spring he had thought of declining, and of supporting Mr. Taylor; but he had lately heard it was very doubtful whether Mr. Taylor could

be elected, and many of his friends had urged him to be a candidate; that it would be inconvenient to him, as it would prevent him from taking part in the debates on the floor, and would deprive him of the means of practising in the Supreme Court. But he thought he should be governed by the advice of his friends.

Watkins said he had mentioned this to Mr. Clay, who had desired him strongly to dissuade Webster from placing himself in competition with Taylor. Watkins asked if he should say anything to Webster from me.

I said he might tell him that he had assured me last spring that he would not stand in competition with Taylor, but would aid his election with all his influence. I had nothing further to say.

Visits from seventeen members of the House, two of the Senate, and one delegate. Governor Barbour brought with him a letter from the Creek delegation on the subject of the negotiation with them; declining any cession of their lands beyond the Chattahoochee; and Colonel Crowell states this to have been their understanding of the proposal of General Gaines. There are other objectionable parts in their project, and I advised Governor Barbour to answer them explicitly that we could treat on no other basis than that of the cession of all their lands within the State of Georgia.

Mr. Southard and Mr. Clay had conversation upon the prospects of election of the Speaker. They think Taylor will be chosen without much difficulty, perhaps at the first ballot.

Mr. Clay expressed some doubt whether he ought to visit the Vice-President; thought he had used him ill; and intrigued particularly to obtain votes against him upon his nomination as Secretary of State. He believed he had specially prevailed upon Mr. McIlvaine, of New Jersey, to vote against him. Mr. Clay mentioned that the treaty with Guatemala was ready for signature.

Mr. Southard left with me his report to be communicated to Congress with the message, and said he would call to-morrow morning to enquire if I should wish any alteration of it.

I was engaged in the evening till near midnight on this

journal, and on the draft of a message relating to the Creek Indian and Georgia controversy.

4th. Rose with the dawn. Mr. Southard called immediately after breakfast, and I pointed out to him a passage of his report in which I advised an omission of a few words; of which he immediately perceived the propriety. On returning home from church, I found Mr. Lloyd, of Massachusetts, and Mr. Webster, calling to visit me. Webster said that with regard to the election of Speaker he should act precisely as he told me last spring, and that what Dr. Watkins had said to me yesterday was altogether of his own conclusions. Mr. John W. Taylor spent the evening with me, conversing upon the prospect of the Speaker's election, and upon the composition of the committees in the event of his success. He has encouragement to expect one hundred and nine votes; but from encouraging expectations in such cases large deductions must always be made. The duplicity practised on elections by ballot is matter of no flattering speculation upon human nature. Where the issue of such an election is doubtful, there are numbers who excite hopes in all the candidates, with a view to have credit with the successful one for having contributed to his victory. I hear that McLane is very sanguine in his expectations of success; and Stevenson, of Virginia, expects to make a strong poll also. With regard to the committees, I supposed he could not displace the chairmen generally, who had been such in the last Congress, but he was disposed to arrange the members so that justice may be done as far as practicable to the Administration.

5th. This day commenced the first session of the Nineteenth Congress. Mr. John W. Taylor was chosen Speaker of the House of Representatives at the second ballot. His competitors were Mr. Campbell, of Ohio, Mr. McLane, of Delaware, and Mr. Stevenson, of Virginia, neither of whom had more than forty votes at the first ballot. Taylor had eighty-nine, and at the second ballot ninety-nine. The Secretaries of the Treasury and Navy were here in the morning, and those of State and War after the adjournment of the Houses. Southard said that he had tried last evening to see the members of the House from New Jersey, but could not find them. Mr.

Rush brought papers relating to the appointment of officers to two revenue cutters. Mr. Clay brought me a treaty which he had signed with the Minister of Guatemala. Governor Barbour, the draft of his answer to the deputation of Creek Indians, positively declining to treat on the basis of accepting a cession bounded by the Chattahoochee. Mr. Clay strongly inclined to treat on that basis, and Mr. Barbour intimated a similar opinion. He proposed to consult the members of the Georgia delegation; to which I assented.

They spoke of the election of Speaker. There were one hundred and ninety-three members present—ninety-seven necessary to a choice. At the first ballot Taylor had eighty-nine; J. W. Campbell, forty; McLane, thirty-six; Stevenson, seventeen; L. Condit, six; scattering, five. At the second ballot, Taylor, ninety-nine; McLane, forty-four; Campbell, forty-two; Stevenson, five; scattering, three. Mr. Campbell's votes were from Pennsylvania and Tennessee chiefly; McLane's from Georgia, South Carolina, and partly from Virginia; Stevenson's mostly from Virginia, with some from North Carolina. Clay thinks the election evidence of the strength of the Administration; insisting that many of the members have strong personal objections to Taylor. The New Jersey members all voted for Dr. Condit at the first ballot—which accounts for Mr. Southard's not having been able to find them last evening.

6th. [Forty-five names.] This is a list of a part of this day's visitors, for there were eight or ten others whose names and persons equally escaped me. They are almost all members of Congress paying visits of civility. Mr. Ruffin, who came with General Harrison, is an inhabitant of Cincinnati, and brought me friendly remembrances of my class-mate Daniel Mayo.

It was half-past eleven when the committee from the two Houses came, and General S. Smith, speaking for them, said they had been appointed to inform me that they had assembled and were ready to receive any communication I should be pleased to make to them.

I answered that I would thank them to inform the two Houses of Congress that I proposed to make them a communication in writing this day at twelve o'clock; upon which they

immediately departed. At twelve o'clock I sent, accordingly, my son John with the message. There were with it reports and documents from the Secretaries of War and the Navy, a report from the Postmaster-General, and printed copies of the treaty with the republic of Colombia, the ratifications of which have been exchanged since the close of the last session of Congress. The Secretary of War had sent only one copy of his report, and the accompanying documents. Of all the other papers there was a copy for each House; and, apprehensive that one of the Houses might think itself neglected, I sent to the War Department for a second copy of Governor Barbour's report, which Major Vandeventer afterwards brought. The delivery of this annual message is one of the principal duties of the President of the United States, and there is a deep responsibility attached to it.

The bustle of the day and the multitude of visitors suspended much reflection, and relieved in part the intense anxiety that I am unable entirely to suppress. I await, with whatever composure I can command, the issue.

Mr. Southard took my approval for the site of a navy-yard at Pensacola, to annex a copy of it to the documents sent to Congress. Southard, speaking of the election of Taylor yesterday, said he was excessively unpopular, and mentioned objections to him which he had heard last night for the first time.

I told him I had never heard of them before, and was exceedingly sorry to hear of them now. But they were objections of a nature usually overlooked in public men. I believed myself that the Southern rancor against him upon the Missouri questions, the anti-Clintonian rancor against him in New York, and his attachment to me, had been causes quite sufficient to account for his unpopularity, without resorting to tales of scandal.

Mr. Rush had papers concerning the fraudulent failure of Edward Thomson, at Philadelphia, by which there is danger that the United States will lose nearly a million of dollars.

Governor Barbour came, and seemed strongly inclined to treat with these Creek Indians upon the basis of taking the

Chattahoochee for the boundary. I agreed to a meeting of the members of the Administration concerning it at one to-morrow.

7th. [Fifty-four names.] The stream of visitors began immediately after breakfast, and continued until noon, when the Houses of Congress met. In the succession of them for more than two hours the names of several of them passed unheeded. This, owing to the multitude, it was impossible to avoid. The conversations with them all were upon ordinary subjects. Mr. Bailey gave me a dissertation, proposing a great reform by avoiding to give dinners and evening parties. R. M. Johnson gave some intimations of opposition intended in the Senate against the nomination of R. King as Minister to Great Britain. Mr. Rush came with a list of the officers of the Treasury Department and Customs appointed since the recess of Congress.

Cabinet meeting at one. Present, Mr. Clay, S. S., Mr. Rush, S. T., Mr. Barbour, S. W., and Mr. Southard, S. N. The question for discussion was upon the answer to be given to the deputation of Creek Indians. Governor Barbour read their letter, and the draft of his answer. General Gaines had been authorized to propose to them a cession of all their lands in the State of Georgia. His journal states that this was his proposal. But they now say that they understood the proposal to be the Chattahoochee for the boundary; and Crowell, the Agent, sustains them in the allegation. But Gaines had no authority either to propose or to accede to this; and Mr. Clay thought this the principal difficulty of the case. Mr. Clay said Mr. Webster and Mr. Everett had been at his house, and Mr. Webster had urged, above all things, not to let the Georgia question go before Congress. And Mr. Clay said his great apprehension was that if it went before Congress they would do nothing; and he showed the various motives by which different members would be actuated to do nothing.

I asked him if this would not release the Executive from the obligation to do anything also. We ask of Congress to annul the treaty, or to furnish means to compel the execution of it by the Indians. Congress do nothing. We consider the treaty as binding, but the Indians refuse to comply, and remain on the lands after September, 1826. We have no means to com-

pel their compliance, and therefore can do nothing till Congress meet again.

After much discussion, it was concluded that the Secretary of War should answer the letter of the Indians, declining to treat except on the basis of the cession of all the lands in Georgia, and should call upon General Gaines to explain the difference between his view of the proposals last made by him to the Indians and their understanding of it. The meeting adjourned about four o'clock.

8th. Mr. George Graham came to say that it would be expedient to postpone the sale of lands in Alabama till June. He had also a letter to the Registrar of the Land Office at New Madrid, concerning certain fraudulent practices in obtaining land-grants under a falsified certificate of the Sheriff of the county. He writes to the Registrar to obtain copies of existing grants.

The two Houses of Congress adjourned over till to-morrow, to give the Speaker time to appoint the committees; and from ten till three o'clock I had a continual succession of visitors, members of both Houses—forty-eight members of the House, and four Senators. Mr. Miner, of Pennsylvania, came and introduced himself, but stayed not more than five minutes. Hemphill[1] spoke of the lift which he said I had given to his bill for internal improvements. Mr. White, of Florida, came to speak of claims of certain inhabitants of that Territory for indemnity for losses sustained by the operations of our army during the late war, and by the invasion of General Matthews before it. They claim under their interpretation of the article in the Florida Treaty stipulating indemnity for losses by the late operations of the army in Florida—meaning in General Jackson's Seminole campaign. Mr. Crawford had decided against those claims before he went out of office; but Mr. White appeals to the present Administration.

I told him Mr. Crawford's decision had been correct; that he knew it was the operations only of the Seminole campaign that were provided for in the treaty. He spoke also of the

[1] Joseph Hemphill, Representative from Philadelphia.

removal of Hamilton, Collector of Pensacola, as absolutely necessary.

Mr. Forsyth mentioned the intention announced in the message, of sending Ministers to Panama, as a change in the policy of the Administration. I did not recollect any change of policy, but observed there had been a great change of circumstances.

Mr. Benton professed to be much pleased with the plan of surveying the Northwest coast. Brobson, who came with Clayton, brought me a letter of introduction from the late Mr. Rodney, two years old. Watkins was here, and spoke of the intended election of a Secretary of the Senate. He wished Slade could be chosen; but brought a list of votes as they would be—eleven for Lowry, eleven for Dickins. Watkins told me of much criticism upon the message.

9th. Mr. Southard called this morning before breakfast, in search of a small pocket-book that he had dropped here accidentally, and which I had found on the carpet. Governor Barbour called, and introduced his son to me. Mr. Cooper, a clergyman, came to solicit my subscription for an edition of Virgil that he is about to publish with English notes. I declined subscribing, but promised to take one of the books. Mr. Burgess, a member of the House of Representatives from Rhode Island, brought with him and introduced a Mr. Jenks, inventor of a bed for sick persons, which he calls an alleviator. Mr. Daniel Brent called, to mention the papers relating to the Guatemala Treaty, of which he has copies ready. Visits from G. Moore, of Alabama, and Andrew Stewart, of Pennsylvania, members of the House of Representatives; and a card from Mr. Berrien, a Senator from Georgia.

Mr. Rush read to me his answer to the Chamber of Commerce at Philadelphia, and his private letter to Mr. W. Jones, assigning my reasons for declining to recommend the projected breakwater near the mouth of the Delaware River, in the message. Mr. Cheves, Commissioner under the Slave Indemnity Commission, was here, and said that the Commission, though about to meet again, could do nothing. Colonel Jones came for papers which he had left with me, claiming promo-

tion in his lineal rank as Captain, notwithstanding his office on the staff as Adjutant-General. He took them back.

Mr. McLean, the Postmaster-General, called at three o'clock, as I had sent him word requesting him to do. I gave him a long memorial of Isaiah Bunce, a disappointed candidate for the office of Postmaster at Litchfield, Connecticut, who complains bitterly against the Postmaster-General for not appointing him. McLean told me all the circumstances of the case; from which it appeared to me that I should not be warranted to interpose in the appointment at all. Mr. McLean gave me a Richmond Enquirer of yesterday, containing a bitter invective upon the message, such as I had good reason to expect. In the evening I made a draft of a message to the Senate, to be sent with the nominations of Ministers to attend at the Congress of Panama. Mr. Barbour, Secretary of War, called a second time, and said that he had received notice that Chilly Mackintosh and ten or twelve other Creek Indians had arrived here, styling themselves the representatives of the Creek nation. They had just been lodged by Mr. McKenney in the Pennsylvania Avenue, but had been induced by part of the Georgia delegation to remove to the Capitol Hill, and had given notice that, if there was any difficulty about subsisting them, they would provide for themselves. Mr. Barbour said they had with them about four thousand dollars.

I thought it would be our duty to support them; but, as they pretend to represent the whole nation, we should enquire how far they will carry into execution the treaty on their part.

Governor Barbour is convinced that they are instigated by Georgians.

10th. There remain only a few members of Congress who have not yet visited me. About ten came this day. Among them, James S. Stevenson, of Pennsylvania, came to recommend the re-appointment of Hugh Davis as Marshal of the western district of Pennsylvania. He brought me a letter soliciting the re-appointment, and intimated that he purposely refrained from bringing recommendations from other members of the delegation, knowing them to be hostile to the Administration.

Stevenson gave me to understand that he himself did not join in that hostility.

Bradley, of Vermont, told me that C. P. Van Ness, Governor of that State, had resigned that office, with a view to supplant Mr. Seymour in the Senate of the United States. And Bradley thinks he will succeed.

Mr. Hayne came to recommend Morton A. Waring for reappointment as Marshal of the district of South Carolina.

Thomas[1] came to enquire if I had received a private and friendly letter recommending his son-in-law, Hamtramck, for an appointment in the Pay Department. I could not find the letter, and he now renewed the recommendation. He then said he would be friendly to the Administration. He had been in favor of Mr. Crawford at the Presidential election, but he did not mean to oppose the Administration. He had voted against the nomination of Mr. Clay because he had an objection to Mr. Clay. He thought he could not vote for the nomination of Mr. Rufus King as Minister to Great Britain. He had several objections to Mr. King. One was, that he did not approve of the amalgamation of parties. Another was, he had heard Mr. King say that the Mississippi ought to be the boundary of the United States. He was proceeding to discourse further in this manner, when other persons came in and interrupted him. He took leave, saying he would call again.

I had desired Mr. Brent to ask Mr. Clay to call before going home from his office. He came, and I read to him the draft of a message to go with the nomination of Ministers to the Congress at Panama. He made several remarks upon it, and advised to delay sending it until the Senate shall have passed upon the nomination of R. King, which will be strongly contested, if not rejected. He said also something of placing Sergeant before Anderson in the Commission, of which I shall consider further.

Mr. Edward Livingston came, apparently for the purpose of saying to me that he approved my message to Congress in every part. He said there was not a line of it in which he did not heartily concur. We had some conversation also upon his

[1] Jesse B. Thomas, Senator from Illinois.

code for Louisiana, and his proposal to abolish capital punishments.

12th. Mr. Southard brought and read to me several late dispatches from Captain Hull, Commander of the squadron in the Pacific. He afterwards came and read some others, and a letter from Captain Morris, at Paris, who had obtained from the French Government, through Mr. Brown, permission to visit all the naval establishments at Rochefort, La Rochelle, Brest, and Toulon. He mentions that Somerville was at Paris, very ill. Southard said Mr. Lloyd had called upon him and mentioned that Captain Porter wished him to move a resolution calling for the proceedings of the Court of Enquiry upon his conduct.

I advised Mr. Southard to say to Mr. Lloyd that the Government could have no objection to a call for the proceedings of the Court of Enquiry, but that those of the Court-martial ought to be communicated with them.

Mr. Southard said Mr. Monroe had written to him and expressed a strong wish that the correspondence relating to Porter's preceding quarrel with the British Admiral should also be published, as the instructions given to Porter on that occasion show the principles of the Government as to the conduct which they wished him to pursue in his deportment to foreign officers.

I said this also might be mentioned to Mr. Lloyd, or, if he felt any delicacy in moving for those papers, he might speak of it to Mr. Hayne, or Holmes of Maine, or to some member of the House of Representatives.

13th. Governor Barbour came, first, with a reply from the delegation of Indians, lamenting the failure of their proposals, and asking another interview with me, to lay their grievances and pour out their afflictions before me. Governor Barbour said he had mentioned this desire of theirs to Mr. Clay and Mr. Southard, who observed that they saw no objection to my seeing the Indians again according to their desire.

I said I would readily see them before they should go away, but it would be best to postpone the meeting for the present. At this time they would only set forth their distress, and throw

themselves upon my mercy and compassion. If I should answer them inflexibly, it would only increase their distress. If I indulged any sympathy for them, it would imply censure upon the treaty, which we must yet maintain, and would be offensive to Georgia. Perhaps we may yet come to some agreement. I desired him, therefore, to answer the Indians that I would certainly hear them again before they should return home, but I wished it might be a pleasant, comfortable talk, and advised them to take time and reflect, to see if they could not make some other proposition to which we may agree.

Governor Barbour said he had not yet received any answer from General Gaines, but his aide-de-camp, Butler, had admitted that the last proposition made by the General at his last meeting with the Indians was to take the Chattahoochee for a boundary. It is strange, for the General had no authority to make it. But it changes the aspect of the subject. If he has given them encouragement to expect this boundary, we are under the stronger obligations to consider their claims. Governor Barbour still inclines strongly to take the Chattahoochee, and says that Forsyth told him he would prefer it rather than a recommendation to Congress to annul the treaty as fraudulent; and Merriwether admitted to him that there was great convenience in a river for a boundary.

14th. General Brown came to converse with me on the concentration of the army, an object which he thinks of great importance, and concerning which he had some days since sent me a copy of a letter which he wrote to the Secretary of War in November, 1820, at the time immediately preceding the last reduction of the army.

Mr. Lloyd spoke on several subjects: of the recommendation in the message to remove the remnant of discriminating duties, concerning which he wished for information to be obtained at the Departments, and some that I gave him; and, lastly, of the proceedings on Commodore Porter's trial. Mr. Lloyd, at Porter's desire, had moved for the proceedings of the Court of Enquiry, and Mr. Southard had suggested that those of the Court-martial should be communicated with them. Mr. Lloyd assented to this proposal, though he seemed not to be aware of

Porter's motive in desiring that the proceedings of the Court of Enquiry only should be communicated.

Mr. Bailey spoke of several resolutions which he has offered in the House of Representatives concerning roads and canals, and an amendment of the Constitution. He said he had not shown me those resolutions before he offered them, on account of the imputations upon him heretofore, arising from his former relations to me in the Department of State.

I told him that the discussion of his resolutions might be useful, but I must in candor say that my opinions did not concur with them. I thought the power of making roads and canals given by the Constitution; and then an amendment, asking the grant of that which was already granted, equally impracticable and useless.

Vandeventer came for some papers relating to the Creek and Georgia controversy.

Dickins brought me, as I had requested, a list of the members of the Columbian Institute, and had some conversation with me relating to the address to be delivered by Dr. Watkins to the Society on the 7th of January next. He spoke also of his own situation; his wish for a more lucrative place than that which he now has at the Treasury; and of his disappointment in the recent election of Walter Lowry as Secretary of the Senate. Dickins said he had not only been disappointed, but deceived, by many of Mr. Crawford's friends, who had encouraged him to expect their votes for that office, and yet he could not account for the election of Lowry unless several of General Jackson's friends had joined in voting for him. He then enlarged upon the services he had rendered, especially during the last two years, in the Treasury—intimating that he had really performed all the duties of the Secretary; and he added that he supposed I knew that he had been the medium of communication between the Treasury Department and the President after all personal communication between Mr. Monroe and Mr. Crawford had ceased.

This fact had not been before known to me, and I told Dickins so.

He said that a few weeks before the close of the Administra-

tion, some words used by Mr. Monroe to Mr. Crawford had induced the latter to abstain thenceforward from coming to this house, or ever seeing Mr. Monroe again.

When Mr. Southard came in, I asked him if this fact had been known to him. He said, yes; that one day last winter, on coming here on business, he found Mr. Monroe walking to and fro across the room in great agitation; that he told him Crawford had just left him; he had come to him concerning the nomination of certain officers of the Customs in the Northern ports; that Crawford recommended the nomination of several persons, against whom Mr. Monroe expressed several objections; that Mr. Crawford at last rose in much irritation, gathered the papers together, and said, petulantly, "Well, if you will not appoint the persons well qualified for the places, tell me whom you will appoint, that I may get rid of their importunities." Mr. Monroe replied with great warmth, saying that he considered Crawford's language as extremely improper and unsuitable to the relations between them; when Crawford, turning to him, raised his cane, as in the attitude to strike, and said, "You damned infernal old scoundrel!" Mr. Monroe seized the tongs at the fireplace for self-defence, applied a retaliatory epithet to Crawford, and told him he would immediately ring for servants himself and turn him out of the house; upon which Crawford, beginning to recover himself, said he did not intend, and had not intended, to insult him, and left the house. They never met afterwards.

Mr. Southard does not recollect the precise day on which this happened. I told him that if I had known it at the time, I should not have invited Mr. Crawford to remain in the Treasury Department. It resembles the scene between Bolingbroke and Oxford in the last days of Queen Anne.

15th. Dr. Watkins mentioned to me a letter he had received from T. Weed, expressing a wish that Mr. Van Buren might be engaged to favor the election of A. Tracy as Senator from New York. Watkins spoke also of the transfer of the printing of the laws from the Intelligencer to the Journal, and of the recent great increase in the subscription list of the Journal. And he mentioned the resentment of Captain Porter at a paragraph

of my message to Congress, which he takes as importing censure upon him—the more extraordinary, he thinks, because he was in favor of my election.

Mr. Rush brought and read to me the draft of his annual report to Congress upon the finances. It recommends very strongly the interest of manufactures; proposes an increase of duty upon fine cottons, and a reduction upon teas, coffee, cocoa, and wines.

I questioned with him the expediency of the reduction, which I thought Congress would eagerly catch at, without a corresponding zeal for increasing the duty as recommended on fine cottons. I advised him not to be sanguine in expecting an increase of revenue next year proportional to the increase of this over the last. I remarked various sources from which there might be a falling off in the receipts, and warned him of the danger of giving up that which he had in hand, so that he should have next year a deficiency to supply.

To all these remarks he paid attention, and somewhat modified his report. I made likewise some observations of a verbal character.

16th. Mr. Rush read to me the passages of his report which he had altered upon the remarks I had suggested to him. He brought also the list of nominations to the Senate of officers connected with the Department of the Treasury.

Mr. Macon is Chairman of the Committee of Foreign Relations of the Senate, and came to make some enquiry, chiefly with reference to the proposal in the message to discard the remnant of discriminating duties in favor of those nations which may be disposed to adopt the reciprocal principle in our favor.

I told him that the Treaty with the federation of Central America, now before the Senate, contained the principle. I spoke of the appointment of Ministers to the Congress of Panama, but Mr. Macon said he had no charge from the committee to speak of that, and intimated that he should be against it altogether.

Governor Barbour came to mention several candidates for the appointment of Inspector-General of the army, and men-

tioned a Colonel Croghan, recommended by several members of Congress from the West.

General Harrison, the Senator from Ohio,[1] was also here, and urged warmly the claims of the same person, who distinguished himself in the late war. And Harrison says that of seventy-five officers on the army list there are not more than five from the Western country. Harrison spoke also of a claim of his own, of compensation for services during the late war. He said he had hitherto abstained from claiming it, from a sentiment of delicacy; but his circumstances were not now so prosperous as they had been, and he was disposed to demand what was his right. He referred for precedent to allowances which had been made to Governor Edwards, and also to Governor Tompkins, of New York.

Major Vandeventer came for the papers relating to the Creek controversy, and took them all.

Mr. Seymour, a Senator from Vermont, called on a friendly visit, as did Powhatan Ellis, a new Senator from Mississippi, and George M. Owen, a member of the House from Alabama.

Seymour spoke of the election of W. Lowry as Secretary of the Senate, which, he says, Eaton, of Tennessee, did endeavor to prevent. Lowry himself brought me two resolutions of the Senate, one confirming the nomination of Alfred Conkling as Judge of the western district of New York, and of Wright as Consul at Rio de Janeiro, and the other calling for information respecting the leases of lead-mines in Missouri. Referred the first to the State, and the second to the War Department.

Mr. Webster spent a couple of hours with me this evening in my cabinet. He spoke of the proposed new organization of the Judiciary, and the establishment of a new Executive Department, one of which is in his charge as Chairman of the Judiciary Committee, and the other as Chairman of a select committee to whom that part of the message has been referred in the House of Representatives. He says that the question in the committee is between the appointment of two or of three additional Judges of the Supreme Court.

[1] W. H. Harrison, elected in 1840 President of the United States.

I supposed two would be sufficient; and the number then being nine, a positive majority of the Court would always be secured—which could never be certain if the number of Judges were ten.

Webster said that some members of the committee and of the House were afraid of the consequences of taking Western Judges; afraid of the judge-breaking temper now prevailing in some parts of the Western country.

I said that this spirit was subsiding, and that men of sound principle and determined integrity could be found in the Western country as in any other part of the Union, and I named, as examples, H. L. White, of Tennessee, and J. McLean, of Ohio; to which he fully assented, and said he should urge his committee to the addition of two new Judges, and would only agree to three if the committee should positively so insist. With regard to the new Executive Department, he said he had not yet called the committee together, and he wished for some information.

I said, if it was possible in any manner to obtain this from Congress it must be by a very short Act, expressing in very general terms the objects committed to it—the internal correspondence, the roads and canals, the Indians and the Patent Office. I referred him to the papers of Judge Woodward on a Home Department in the National Journal, but observed that was a plan upon a scale much too large for the approbation of Congress, to begin with. I have indeed no expectation of success with this Congress for any such establishment even upon the simplest plan. I invited Mr. Webster to come and spend the evening with me whenever it might suit his leisure and convenience.

17th. Watkins showed me a letter from Thurlow Weed, seeming to urge a solicitation of Van Buren's influence to obtain the election of Tracy as the Senator from New York; but this is neither practicable nor fitting. The two Colonels Johnson and O. B. Brown came as a committee from the Trustees of the Columbian College to invite my attendance at their commencement, at ten o'clock next Wednesday morning, which invitation I accepted. They also invited me to dine with the

President of the College that day, which, following the example of Mr. Monroe last year, I declined.

Crowninshield called, on the case of persons having a claim on the Portuguese Government for the brig Osprey and cargo, taken by General Lecor at Montevideo. He was referred to the Department of State, whence instructions have been sent on the subject to T. L. L. Brent, Chargé d'Affaires at Lisbon.

Messrs. Burges and Pearce came jointly to recommend Mr. R. W. Green as District Attorney for Rhode Island. They said Mr. Knight, of the Senate, agreed with them, and they spoke highly of his character.

Tunstall is Deputy Collector at Norfolk, and applies for the appointment of Collector, in the place of James Johnson, deceased.

Marvin and Everett came upon visits of civility, and Mr. Mercer to enquire with regard to the execution of a resolution of the House of Representatives at the last session of Congress, requiring that the P. U. S. should obtain and lay before the House at the commencement of this session the legal proceedings concerning certain slaves captured and sold in Alabama.

I had spoken of this resolution several times to Mr. Clay, who had caused enquiry to be made of the Clerk of the House, who had given assurance that no such resolution had been adopted. I had relied upon this information, but Mr. Mercer, by a reference to the House's journal, showed that the resolution had been adopted, and I promised to see it carried into execution. Mercer said he would send me some fresh letters he had received complaining of the conduct of the Judge and Marshal; and Owen, of Alabama, had told him he believed the charges to be true. He said also that he had forborne to speak upon the subject to Mr. Clay, because his son-in-law was one of the persons implicated in the transaction.

Rush brought a list of the directors of the Bank of the United States appointed by the Government every year since the commencement of the institution.

Jennings came to enquire at whose recommendation Noah Noble had been appointed Receiver of public moneys at Indian-

apolis. I told him by those of the whole delegation from Indiana except himself—of the Governor of the State, the Marshal, Vawter, and many others. I read to him most of the letters.

He said Noble was well qualified for the office, but there was dissatisfaction among the people of Indiana at his appointment, because he was a brother of the Senator Noble, and a brother also to the preceding Receiver. He seemed somewhat surprised at the recommendations of Hendricks and Test; but their practice in that State is to recommend or certify the qualification of every person who applies to them, and then each one by a private communication indicates his particular favorite.

Mr. Clay called to enquire respecting drafts of answers which he had prepared to a letter from the Governor of Massachusetts concerning the Eastern boundary, and to one from the French Minister concerning the arrest of deserting seamen. He also mentioned a resolution introduced into the Legislature of Kentucky by Mr. Crittenden, and said R. M. Johnson had told him of a long discussion between Calhoun and Hayne in his presence on the question whether opposition should be made in Senate against the nominations of R. King as Minister to Great Britain, and his son, John A. King, as Secretary of Legation—Hayne urging to the opposition, and Calhoun advising against it.

18th. In the afternoon heard Mr. Campbell at Mr. Baker's, from 1 Corinthians i. 23, 24: "But we preach Christ crucified, unto the Jews a stumbling-block, and unto the Greeks foolishness; but unto them which are called, both Jews and Greeks, Christ the power of God, and the wisdom of God." I had heard last Sunday afternoon, at St. John's Church, a modest and well-written discourse on the first part of the same text; but this was an Athanasian anathema, which the preacher concluded by telling his whole auditory that, however they might flatter themselves, sudden destruction would come upon them all. Why? because they would not believe that "we preach Christ crucified" means that all the sins of all mankind, past, present, and to come, from the beginning to the end of time, have been, are, and will be atoned for by the blood of Christ. When I sit

and hear men, otherwise of good sense, dwelling with intense interest and evident anxious sincerity upon such doctrines, I muse upon the absurdities of the human intellect. We see, however, that men may believe it all and be just and honest in the intercourse of life.

19th. Watkins asked some questions about the personal rupture between Mr. Monroe and Mr. Crawford last winter; of which I so recently first heard. I also spoke to him of Commodore Porter and his suspension, the term of which is now approaching. He is endeavoring to make a stir about his trial in both Houses of Congress. I told Watkins that all the steps taken against Porter had been reluctant, and after full warning, and that so long as he persevered in his course he would find himself wading deeper into difficulties.

The Secretary of War, Governor Barbour, brought me the final refusal of the deputation from the Creek Indians to treat upon the basis of a cession of all their lands within the State of Georgia, and spoke of a letter he had received from General Gaines, acknowledging that he had given them hopes that this Government would treat with them on the basis of a cession to the Chattahoochee River. Mr. Barbour proposed that there should be a meeting of the Administration on Thursday to consult what shall now be done; to which I assented.

20th. Mr. Crowell called this morning, as I had desired Governor Barbour to request that he would, and he gave me much information respecting the negotiation of the Creek Treaty. The Commissioners on the part of the United States, Campbell and Merriwether, were both Georgians, and acted much more as such than as officers of the United States. Their conduct having been much questioned, they have published a long exposition of their proceedings, criminating Crowell, Major Andrews, General Gaines, and other persons, but very feeble as a vindication of themselves. I read over the parts of this document which bore upon the conduct and character of Crowell, and advised him to reduce to writing the substance of what he said to me, in refutation of their charges against him. He contradicts, in positive terms, many of the most important of their supposed statements of facts.

Mr. Clay brought the account of the capitulation of the castle of St. Juan d'Ulloa, at Vera Cruz. He mentioned also having had a long conference with Baron Tuyl, the Russian Minister, upon the proposal which we made last spring to the Emperor of Russia to interpose with the Spanish Government to induce their acknowledgment of the Southern American republics, with a view to save the islands of Cuba and Porto Rico from invasion and conquest. The Emperor has taken the subject for advisement, manifesting much satisfaction at the proposals being made to him, and a disposition rather friendly to it. Baron Tuyl is very earnest in the desire that we should in the interval interpose to prevent the invasion, and Mr. Clay proposed writing to Mr. Salazar to that effect—which I approved.

Mr. Lowry, Secretary of the Senate, brought me two resolutions of the Senate confirming nominations: the first, of several Consuls; the second, of R. King as Minister to Great Britain, and of John A. King as Secretary to the Legation. I wrote to Charles King to inform him of it. Received also from Matthew St. Clair Clarke, Clerk of the House of Representatives, two resolutions: one calling for correspondence with Great Britain, not heretofore communicated, respecting the slave-trade; the other, for a copy of Mr. Jefferson's secret message to Congress of January, 1803, recommending Lewis and Clarke's expedition.

21st. General Brown came with a Colonel King, whom he introduced to me, formerly in the army, originally from Boston, but now settled in the western part of New York, and a member elect of the Legislature of that State. After he was gone, General Brown spoke with great solicitude concerning the appointment of an Inspector-General of the army, and appeared to be deeply disappointed when I told him that I had concluded to nominate Colonel Croghan. The General repeated what he had before urged, that the army would feel most deeply mortified, and that I should be supposed to entertain unfriendly feelings towards it; that the Inspectors-General are, as it were, the eyes of the commander-in-chief, and that in all services they are viewed as officers to be specially designated by him; that

he had no personal objection to Colonel Croghan, who had been a gallant officer, and was perfectly well qualified; but he is not now in the army, and the army would feel itself deeply wronged if a person not of the army should be appointed to this office. The General left me under great apparent emotion at this information.

22d. Trimble called, to converse with me upon a resolution of the House of Representatives, adopted on his motion, calling for a copy of Mr. Jefferson's secret message to both Houses of Congress of 18th January, 1803. He said he had purposely added to the resolution a call for any other documents relating to the same subject that I might think proper to communicate; because, he said, there were people in the Western country who took great pains to represent me as unfriendly to the interests of that portion of the Union; that Benton especially had been doing so all the summer, and was still by his correspondence doing the same thing; that he (Trimble) had seen some papers of mine, particularly a dispatch to Mr. Middleton, in the negotiation concerning the Northwest coast, which proved very different sentiments to be entertained by me from those imputed to me by Benton, and he wished to give me an opportunity, if I thought proper, to send any such papers with Mr. Jefferson's message. I thanked him for his good intention, but thought I could not with propriety send the dispatch to Middleton with Mr. Jefferson's message, which I read to Trimble.

From one o'clock to near five was the Cabinet meeting upon the affairs with the Creek Indians and Georgia. The letter from the Creek delegation, finally refusing the cession of all their lands within the State of Georgia, was read. Much desultory conversation was had upon the course to be pursued. Governor Barbour said Forsyth, of Georgia, had told him yesterday that he had infinitely rather that we should take a cession to the Chattahoochee than that the treaty should be sent to Congress, although as representatives of Georgia they must protest against anything short of the late treaty. Governor Barbour recurred to his plan for incorporating the Indians within the States of the Union—ceasing to make treaties with them at all, but considering them as altogether subject to our laws.

I asked him if he did not think there would be made question of the constitutional power of Congress to change so essentially the character of our relations with the Indian tribes.

He said he had no doubt there would; but that it would soon be unavoidably necessary to come to such a system.

Mr. Clay said he thought it would be impracticable; that it was impossible to civilize Indians; that there never was a full-blooded Indian who took to civilization. It was not in their nature. He believed they were destined to extinction, and, although he would never use or countenance inhumanity towards them, he did not think them, as a race, worth preserving. He considered them as essentially inferior to the Anglo-Saxon race, which were now taking their place on this continent. They were not an improvable breed, and their disappearance from the human family will be no great loss to the world. In point of fact they were rapidly disappearing, and he did not believe that in fifty years from this time there would be any of them left.

Governor Barbour was somewhat shocked at these opinions, for which I fear there is too much foundation. But the question was what should now be done. The observation suggested yesterday by Mr. Forsyth gave the idea that the Secretary of War should write to the Georgia delegation, stating to them the refusal of the Creeks to cede their whole lands in Georgia, and their offer to cede to the Chattahoochee; and enquiring whether this would be acceptable to Georgia. It was supposed that the Georgia delegation would send an insulting and violent refusal for answer. But this, at least, will take from them hereafter the power of reproaching us for not obtaining the cession to the Chattahoochee when it was in our power, with the pretence that Mr. Forsyth had distinctly, though verbally, given us to understand that it would be acceptable to Georgia. Treacherous reference to things said, or pretended to have been said, in private conversations has been much resorted to by the Georgians in this controversy. It was concluded that Governor Barbour should write this letter.

Mr. Southard showed me the draft of a bill, to be presented by the Naval Committee of the House, to establish a naval

school. After ten o'clock this evening, Mr. John W. Taylor called on me to urge from General Brown that I would reconsider the nomination of Colonel Croghan as Inspector-General. He repeated all that General Brown had said to me, and much more; but it was too late. And so I told him.

23d. Messrs. Knight, of the Senate, and Isaacs and Garney, of the House, came as a committee of the two Houses with a bill for my signature. It was an appropriation to pay the compensation of the members of the two Houses. This was the first Act of Congress offered for my signature, and the committee, observing that they might frequently have occasion to come for the same purpose, enquired what hour would be most convenient to me to receive them. I said I was at home after breakfast-time the whole day; that ten o'clock would suit me better than any other hour. They said it would exactly suit them.

I had also morning visits from John Cocke, of the House, from Tennessee, and Willis Alston, from North Carolina; and from James Lloyd, of the Senate. Mr. Lowry, the Secretary of the Senate, brought me three resolutions confirming nominations. Old Mr. McLane, Collector of the Customs at New Castle, Delaware, came to pay a morning visit. Jesse B. Thomas, Senator from Illinois, came to renew the assurances of his friendly disposition to the Administration, and to explain how it was consistent with his voting against the appointment of R. King. Thomas wants an appointment of Paymaster in the army for his son-in-law, Hamtramck, and I have no doubt will have sundry other wants of appointments for his relations and friends. He voted against the appointment of Mr. Clay as Secretary of State. But he had, at the commencement of the same session of Congress, offered very grossly the Department of State to Mr. Clay, with a promise that he should have to wait only one term of four years for the Presidency, if he would give his vote and influence for Mr. Crawford. Thomas told me this day that he had been applied to, and urged, to join a party of formal opposition to the Administration, but he had declined. He was about entering upon a detail of the numbers of this opposition in the Senate, when we were again inter-

rupted, and he took leave. He would have told me nothing upon which I could have placed the slightest reliance.

The Secretary of War, Barbour, brought the draft of his letter to the Georgia delegation, which, with one slight alteration, he approved. But he said that Mr. Cobb, the Senator from Georgia, had been with him this morning in a state of very high excitement, and had threatened that unless we should concede this point, Georgia would necessarily be driven to support General Jackson; and Barbour said, if Mr. Clay's ideas yesterday were correct, and the Indians were going to inevitable destruction, what need was there for us to quarrel with our friends for their sakes, and why should we not yield to Georgia at once?

I said I had considered Mr. Clay's observations yesterday as expressing an opinion of results founded upon the operation of general causes, but not as an object to which we ought purposely to contribute; that we ought not to yield to Georgia, because we could not do so without gross injustice. And that as to Georgia's being driven to support General Jackson, I felt little concern or care for that. I had no more confidence in one party there than in the other.

24th. Dr. Kent and Mr. Ruggles were morning visitors, as were the Roman Catholic Bishop of Charleston, England, and Mr. Matthews, the Curate of the church of St. Patrick here. The Bishop enquired concerning a letter I had received some weeks since from him, enclosing a proposal by a Frenchman of his flock at Charleston to make known to the Government of the United States a secret mode of conveying correspondence beyond sea without danger of its being intercepted, and for which he desires a compensation.

I had forgotten the receipt of this letter, but it was soon found. I asked the Bishop what compensation would be desired. He thought some office. I observed it would be liable to the censure of selling offices—an objection which he said he had intimated to the projector as likely to be made. I observed also that I had not the means of determining the value of the secret. He said it had been so disclosed to him that he could form a tolerably correct estimate of its value. It might be

useful in time of war to a country possessing distant colonies, but he believed could not be of much use to this country under its present circumstances.

R. Rush, S. L. Southard, and H. Clay were here upon business relating to their respective Departments. Mr. Rush left with me the papers relating to a stupendous fraud upon the Government of the United States by the breaking of Edward Thomson, at Philadelphia, one of the greatest China merchants of the United States, and who has had the address to withdraw clandestinely from the custom-house eighteen thousand chests of teas, deposited there for the payment of duties. His debt to the United States amounts to near a million of dollars, almost all of which will be lost.

Mr. Southard is occupied with preparations for answering several calls of both Houses for papers. In both, the proceedings of the Court of Enquiry and Court-martial upon Captain Porter have been called, and with the additional demand in the House of other papers relating to the same subject.

Mr. Clay thought it was now time to send to the Senate the message with the nomination of Ministers to the Congress of Panama, and I concluded to send it on Monday, the day to which the Senate adjourned on Thursday.

26th. Mr. Rush called on the subject of the strange transactions in the custom-house at Philadelphia. I suggested to him the impression of a necessity to remove the Collector of the Port, in which both he and Governor Barbour, who came in while we were conversing on the subject, fully concurred. Barbour, indeed, was of opinion that all the officers of the Customs at Philadelphia ought to be displaced, and an entire new set appointed in their places. Rush had received several letters warmly recommending General Cadwalader for Collector. I told him that if Cadwalader's politics were to form no objection, I thought Hopkinson much better qualified, and with higher pretensions in every respect; to which he fully assented. Barbour thought Hopkinson's politics an insuperable objection. Mr. Rush is to consult with Mr. Clay and Mr. Southard on the subject. Barbour brought me a "talk" from the Mackintosh deputation of Creek Indians.

Messrs. Wurtz, Hemphill, and Miller are Representatives from the city and county of Philadelphia, and came to me to urge the claim of the Lippincotts to have delivered up to them the teas in the custom-house upon their payment of the duties on the same teas, the property of which had been assigned by Edward Thomson to them. Mr. Wurtz principally pressed the claim of the Lippincotts. I asked him in candor to say whether he spoke altogether as a public man or as a friend or agent of the Lippincotts. Mr. Rush had understood the latter; but Wurtz assured me that he acted solely as a public man, in behalf of some of his constituents. I told him the property could not at present be given up to the Lippincotts, as, from the reports of the Collector, the Lippincotts themselves were implicated in some degree of suspicion.

Wurtz was a little discomposed at the question whether he had any particular interest concerned in this affair.

27th. I sent this day three messages to the House of Representatives in answer to calls from them. One of them was a copy of the message of Mr. Jefferson to both Houses of Congress of 18th January, 1803; and, as that purported on the face of it to be secret and confidential, I sent it now in the same manner to the House, leaving it to them to determine whether it may be still expedient to keep it secret. The House removed the injunction of secrecy upon my message, but not from that of Mr. Jefferson.

Mr. Everett called this evening, and told me what occurred while they were sitting with closed doors. As a confidential message was announced, some surprise was excited, and it was at first supposed that it related to the Panama mission. After the message of Mr. Jefferson was read, the Virginians were alarmed with a fear of its being published, and Stevenson professed not to know for what purpose the call of it had been made. Trimble said because it exhibited Mr. Jefferson's views in regard to the civilization of the Indians. Forsyth could not perceive that it was at all important whether it should be made public or not, but, as it had originally been a secret message, he thought it might as well be still considered as confidential, and moved it should be laid on the table, in which he was supported

by Mr. Webster, and as was accordingly done. Everett spoke of the fire in the library of the Capitol discovered by his wife as they were returning from the party at Mr. J. S. Johnstons's; also of Hamilton's proposed call of papers relating to the Panama mission, which Everett said was tartly expressed. I sent a message to the Senate with the nominations for the Panama mission and the correspondence yesterday.

28th. Mr. Clay gave an account of conversations with Baron Tuyl, who has received instructions from his Government concerning our proposition that the Emperor Alexander should interpose to prevail on Spain to acknowledge the South American republics, with a view to save to Spain the islands of Cuba and Porto Rico. Mr. Clay has shown to Baron Tuyl the notes he had written to the Ministers of Mexico and Colombia to urge a suspension of any expedition against those islands.

In the evening Mrs. Adams had her second drawing-room, which was much crowded. Mr. Mills told me, with a serious laugh, that they had been trying me this day in the Senate by a resolution charging me with an assertion of usurped power. He said he would speak of it further to me hereafter. I said to Mr. Lloyd, also, that I should be glad to converse with him concerning it.

30th. Mr. Lowry brought me five resolutions of the Senate: one, advising and consenting to the ratification of the treaty with the federation of Central America; the others, confirming sundry nominations. Mr. Rush was here, and read me letters from the Collector at Philadelphia, Steele, and from the District Attorney, Ingersoll, upon the affairs of Edward Thomson. There appears to be some variance between those officers as to the mode of proceeding with him. Steele insists upon his being criminally prosecuted and confined in close prison. Ingersoll is for postponing severe measures, and for a thorough searching examination into his affairs, upon his petition for a release from prison upon the executions of the U. S. against him upon debt. I incline to this course myself. I am so little satisfied with the information which we have as yet obtained with regard to the facts, that I proposed to Mr. Rush to dispatch a trusty person to Philadelphia, to examine minutely into the whole state of

the custom-house there, and to take affidavits of all the officers employed in that service concerning the manner in which the office has been usually conducted, and particularly with regard to the facts connected with Thomson's malpractices. Mr. Rush agreed to this, and will apply to S. H. Smith, whom we fixed to be charged with this commission.

Mr. D. Brent brought from the Department of State a draft of a dispatch to Mr. Middleton, at St. Petersburg, mentioning the applications we have made to the Governments of Colombia and Mexico to prevail upon them to postpone any expedition they may be projecting against the islands of Cuba and Porto Rico, to give time to the Emperor of Russia to use, in conjunction with his allies, his influence with Spain to induce her to save those islands, by recognizing the independence of the new Governments on the American continents.

31st. Mills gave me a printed copy of the resolution offered by Mr. Branch to the Senate, declaring that the President of the United States has no right or power to appoint Ambassadors or public Ministers but with the advice and consent of the Senate; except in cases of vacancy which may happen during the recess of the Senate. It is preceded by a "Whereas, the President of the United States did, by his message at the commencement of the Senate, assert that Ministers would be commissioned to Panama without submitting them to the Senate; and whereas, though he did submit them to the Senate, he yet maintained the right of sending them without concurrence of the Senate; therefore, to guard against the precedent, Resolved," etc. I told Mills that the preamble or whereas, upon which the resolution was founded, was a statement incorrect in point of fact, charging me with having asserted that which I never did assert. I said I considered the Executive competent to institute a new mission and appoint Ministers during the recess of the Senate, but that when the Senate were in session they must be nominated.[1]

[1] The paragraph in the message relating to this subject is in these words:

"Among the measures which have been suggested to them by the new relations with one another, resulting from the recent changes in their condition, is that of assembling at the Isthmus of Panama a Congress at which each of them should be

Mr. Owen came to make some enquiry concerning a petition to Congress by a man named Robertson, who, he said, was one of his constituents, and which the House of Representatives, by a resolution two days since, referred to the President of the United States.

I said that besides the doubt whether the House alone could thus dispose of a petition addressed to the Congress, the reference itself to the President was a very unusual, I believed an unexampled, thing. From respect to the House, I should preserve their resolution of reference with the documents, and endeavor to keep them choicely upon my files.

Owen said he had thought it was not correct to make the reference to the President, and had told McLane so, the Chairman of the Committee of Ways and Means, by whom the resolution of reference was offered; but, he said, he was sure there was no intention of disrespect in the reference—of which I was well assured.

I told Owen I would send him the petition and documents, to do with them as he pleased.

Day and *Year*. The life that I lead is more regular than it has perhaps been at any other period. It is established by custom that the President of the United States goes not abroad into any private companies; and to this usage I conform. I am, therefore, compelled to take my exercise, if at all, in the morning before breakfast. I rise usually between five and six—that is, at this time of the year, from an hour and a half to two hours before the sun. I walk by the light of moon or stars, or none, about four miles, usually returning home in time to see the sun rise from the eastern chamber of the House. I then make my fire, and read three chapters of the Bible, with Scott's and Hewlett's Commentaries. Read papers till nine. Breakfast, and

represented, to deliberate upon objects important to the welfare of all. The republics of Colombia, of Mexico, and of Central America have already deputed Plenipotentiaries to such a meeting, and they have invited the United States to be also represented there by their Ministers. The invitation has been accepted, and Ministers on the part of the United States will be commissioned to attend at their deliberations, and to take part in them, so far as may be compatible with that neutrality from which it is neither our intention nor the desire of the other American States that we should depart."

from ten till five P.M. receive a succession of visitors, sometimes without intermission—very seldom with an interval of half an hour—never such as to enable me to undertake any business requiring attention. From five to half-past six we dine; after which I pass about four hours in my chamber alone, writing in this diary, or reading papers upon some public business—excepting when occasionally interrupted by a visitor. Between eleven and twelve I retire to bed, to rise again at five or six the next morning.

The year has been the most momentous of those that have passed over my head, inasmuch as it has witnessed my elevation at the age of fifty-eight to the Chief Magistracy of my country; to the summit of laudable, or at least blameless, worldly ambition; not, however, in a manner satisfactory to pride or to just desire; not by the unequivocal suffrages of a majority of the people; with perhaps two-thirds of the whole people adverse to the actual result. Nearly one year of this service has already passed, with little change of the public opinions or feelings; without disaster to the country; with an unusual degree of prosperity, public and private.

January 2d, 1826.—Mr. Wirt, the Attorney-General, called soon after breakfast. Mr. Rush had written to him at Baltimore requesting him, if he could conveniently, to come here, with a view to take his opinion upon several points of law which have arisen in the case of Edward Thomson's failure and the frauds at the Philadelphia custom-house. Mr. Wirt said he would be obliged to return on Wednesday to Baltimore. In the mean time he will give his opinion upon the questions propounded here.

The usual visitation of the New Year's day was made at this house from noon till three o'clock, and the crowd of company was said to have been greater than ever had been known before, amounting to from two to three thousand persons. The greater portion of the members of both Houses of Congress were here; and formed only a small part of the company. The British and Mexican Ministers came, and the Brazilian Chargé d'Affaires; but neither the Russian nor French Ministers, nor any persons of their Legations. They had applied last week to Mr.

Clay, the Secretary of State, suggesting their old objection to coming with the crowd, and proposed to come in state another day—say to-morrow; which I explicitly declined, being unwilling to make two days of ceremony instead of one, and still more so to yield to their pretensions, which I think quite unreasonable. I desired Mr. Clay to inform them that if they were desirous of avoiding a crowd they might do so by coming before half-past twelve, or about three. The Chevalier Huygens, the Minister from the Netherlands, came after three, and left cards, but did not come in.

Mr. Lloyd spoke to me of the resolution offered to the Senate by Mr. Branch, but, he said, not drawn up by Branch, who was a mere tool in the hands of another man behind the curtain. He supposed the resolution would be referred to the Committee of Foreign Relations, which would report it back and sustain it. He believed it would not pass, but would be laid on the table. It proceeded undoubtedly from a disposition unfriendly to me; but perhaps the positive manner in which I had expressed myself had given some handle to the construction which the resolution gave to my words. Perhaps I might take occasion to send an explanation of my real meaning to the Senate.

I said I had certainly no pretension to infallibility; that I may have expressed myself in terms susceptible of misconstruction I could not deny, but in this case the misconstruction was so palpably erroneous that I could not think an explanation from me necessary to expose it. Mr. Branch had been compelled to add his own mistaken inference to my words, in order to make up the substance of a charge against me. He states me to have asserted that which I did not assert. He calls upon the Senate to accuse, try, and convict me in secret inquisition, without hearing me in my defence; without even letting me know that there was a charge against me. If I must choose between the alternative of such a resolution of the Senate recorded against me, or of resorting to the humiliating expedient of sending to the Senate an explanation of my own words, I thought I should prefer the last.

Mr. Lloyd admitted there was weight in these observations;

and I added that I found no article or clause in the Constitution of the United States delegating the right or the power to define, limit, or declare what are or are not the constitutional powers of the President.

He said again he believed the resolution would not be adopted, but it would be well to be prepared for it when brought forward by the Committee of Foreign Relations. He repeated that Branch was only the vehicle by whom the resolution was produced; that he was himself incapable either of drawing up the resolution or of sustaining it in debate. In this I believe he was mistaken. Branch, though a man of humble parts, is quite capable of drafting such a resolution, and of sustaining it by some eloquence, though to a very minute extent.

3d. Mr. Mills called, and had further conversation with me respecting the resolution offered to the Senate by Mr. Branch. He says Branch told him that he did not propose moving the reference of it to the Committee of Foreign Relations. He said it was a plain proposition of matter of fact, concerning which every member could make up his own mind. Mills said he did not believe the resolution would pass: it would either be laid on the table or a direct vote rejecting it might be obtained.

I said the Senate might dispose of it as they should think proper, if they should not pass it. But if the Senate were to take an attitude of positive hostility to the Administration, I thought this was ground upon which the Executive would stand defensively stronger than perhaps any other that could be taken—a secret tribunal or inquisition of state, in which they constitute themselves accusers, triers, judges, and executioners against the President of the United States upon impeachable matters, without hearing him, without even informing him that they are receiving charges against him.

Mills said that the subject could not be called up for several days, inasmuch as Mr. Branch had been suddenly called home by the illness or death of some near relation.

Mr. Clay brought a written note from the French Minister, the Baron de Mareuil, requesting that I would appoint a time when he would come and offer me his congratulations on the

New Year and present to me all the members of his Legation; which I declined.

Mr. Clay had prepared an answer, expressing much acknowledgment for the kindness of the Baron, but that, no usage having warranted such a formality, I did not feel justified to introduce it.

6th. General Van Rensselaer came to speak of the long eastern lower hall of the Presidential house, which remains unfurnished. The crowd of New Year's day overflowed into it, and it was seen in its nakedness by many members of Congress.

Van Rensselaer has since offered a resolution in the House proposing a committee to enquire and report upon the propriety of finishing and furnishing the public buildings. He is Chairman of the committee, and enquired what I thought would be the cost of furnishing the eastern hall. I asked him to excuse me from having any opinion about it. He intimated that it might not be necessary to furnish it in the same style of expense as the other company rooms of the House—and enquired how it was in similar halls of European palaces. I told him that so far as I had seen such halls they were very variously furnished—some magnificently, others with old and even decayed furniture, of which I had seen more in palaces than in any other buildings.

He said the committee would perhaps be glad to look over the house, to which I very readily assented; and he observed he would be glad to speak of it to Mrs. Adams.

7th. Mr. Clay came concerning the resolution of the Senate requesting confidential communication of further papers relating to the Panama mission. We agreed that it would be advisable to communicate the proposition made last spring to the Russian Government, and the correspondence which has ensued relating to it. The papers will be ready on Monday.

8th. Walk to the Capitol, and heard the Bishop of Charleston, England—an Irishman. He read a few prayers, and then delivered an extemporaneous discourse of nearly two hours' duration in defence of the Roman Catholic Church; altogether conciliatory and in the true Christian temper. He dis-

claimed all spirit of compulsion upon the souls of men; said that obedience was indeed required to that which was ascertained to be the will of God; but that was not the right of the Pope, but only of a general council of all the Bishops. He disclaimed also all persecution, and commented with great ingenuity upon a decree of a Council issued in the fourteenth century, authorizing the extermination of heretics, and absolving from their allegiance the subjects of princes who should be backward in carrying the decree into execution. Even this atrocious edict he almost explained away. He closed by reading an admirable prayer. He came and spoke to me after the service, and said he would call and take leave of me to-morrow. The house was overflowing, and it was with great difficulty that I obtained a seat.

9th. Governor Barbour brought me the answer of the Georgia delegation to the enquiry made of them, whether they would prefer a new negotiation with the Creek Indians on the basis offered by them of a cession of lands to the Chattahoochee, or to have the treaty sent to Congress. Their answer is that they choose neither. Their letter, however, is in a moderate and not disrespectful tone.

G. Sullivan and E. Everett were successively here in the evening. Everett speaking of several objects now under the consideration of Congress; among the rest, of Hamilton's resolution to call for papers relating to the proposed mission to Panama. Hamilton couched his resolution in words importing a disposition to blame. Two days after making it he said that, being informed that a message would in due time be sent by the Executive to the House concerning it, he was willing his resolution should lie on the table, reserving his right to call it up when he should see cause. Last Thursday he gave notice that he should call it up the next day; but he did not, and has not yet.

I told Everett that if he should call it up it would be perhaps proper to urge its postponement, from respectful deference to the Senate, to give them time to act on the nominations now before them, with intimations that perhaps the Senate might disapprove of the mission, in which case the House would

have no occasion to act upon it at all. I suppose this would bring Hamilton more out, and further disclose the views of the party of which he is the organ. He cannot keep their counsel. This is apparently the first measure in which the opposition are endeavoring to array themselves. They are bitter and rancorous, but are yet discordant among themselves.

10th. Mr. Mills called, and told me of the proceedings of the Committee of Foreign Relations of the Senate, which produced the call for further communications in confidence. Tazewell, whose conduct has been full of equivocations, said he wanted to see the treaties between the South American republics concerning the Congress at Panama. To this Mills agreed. Then Tazewell wanted more confidential papers. Mills asked him to draw up a resolution. No; he wished Mills to draw it up himself. Mills drew it accordingly; and when presented in Senate, Tazewell opposed its passage might and main. The committee will report against the confirmation of the mission. I sent to the Senate this day the documents requested in confidence.

11th. Mrs. Adams had this evening her third drawing-room, which was less crowded than the two former.

D. P. Cook was here about half an hour before it began, and told me Mr. Mangum, of North Carolina, this day, in a speech on the bill before the House for appointing three additional Judges of the Supreme Court, had given me a scoring. He had also indulged himself in reflections upon the State of Illinois, for which he (Cook) should give him his own in return.

The Speaker, J. W. Taylor, stayed an hour after the rest of the company were gone, and spoke of Hamilton of South Carolina's sally at him for presenting to the House a memorial from a crazy man in France, who invited Congress to destroy all the States which should refuse the emancipation of slaves. Hamilton was not countenanced in his fit of chivalry, but Taylor said he had notice that a more formal attack upon him was intended, and by more formidable adversaries. He was told that a person of far more consideration and talents than Hamilton, and of the South Carolina delegation, had spoken of this incident as proof of a fixed determination of the present

Administration to emancipate the Southern slaves. He spoke also of Hamilton's resolution to call for the papers relating to the Panama mission.

I said I believed it would be best to keep it alive; but, if he called it up soon, to put it off, and bring him out in his Hotspur vein, till he shall disclose more of the secret views of his party. I told Taylor I believed the message concerning the Panama mission must be a confidential one; to which he assented.

12th. Dr. Watkins came, and mentioned an attack upon me published in the Richmond Enquirer, in numbers, under the title of "Political Disquisitions, by W. B. Giles." He alludes to confidential communications between him and me in 1808, which he grossly misrepresents; then to his defence of me, in December, 1809, against an attack of T. Pickering in the Senate of the United States, after I had resigned my seat there; and he now solemnly revokes all that he said at that time in defence of me—declares his conviction that personal aggrandizement is the only motive of my conduct, and that I have taken Cæsar for my model. All this had been produced in his mind by my message, which has produced a crisis involving the liberty and happiness of all future ages. And he threatens some dreadful disclosure concerning me.

Dr. Watkins enquired if it would be proper to take any notice of these publications.

I said, not at present. It would be more advisable to wait for his threatened disclosure. He could tell nothing true of me of which I could ever have reason to be ashamed, and if he should resort to falsehood, as to some extent he already has, my defence will not be difficult, and he can expose no one but himself.

13th. Mr. Lloyd came, and spoke of several subjects in consideration before the Senate, particularly of Mr. Branch's resolution, and of the nomination to Panama. Branch is now absent, and his resolution lies for the time on the table. Lloyd said the Panama nominations, he believed, would be confirmed by a small majority, but there would be a long and elaborate report against it by the Committee of Foreign Relations, written by Mr. Tazewell, and it would be long and strenuously debated

in the Senate. I had in the morning declined allowing a claim of General Harrison for extra services in 1811, which he had not made at the time, but bethought himself of just now. He alleged an allowance of the same kind by special order of Mr. Monroe to Governor Edwards, of Illinois; but I knew Mr. Monroe had constantly rejected a like claim by General Hull.

Governor Barbour said he believed he could direct the allowance of it himself; to which I told him I should not object.

14th. Mills told me that the Committee of Foreign Relations had determined to report against the Panama mission, and Tazewell was to write an elaborate report against it. Mr. Gaillard's illness had prevented him from attending the committee, so that Mills has been alone in committee in favor of the mission.

17th. Cook borrowed the volume containing the narrative of Lewis and Clarke's expedition. He said that Louis McLane and A. Stevenson, speaking of the transmission to the House of Representatives of Mr. Jefferson's message of 18th January, 1803, said they considered it a very disgraceful transaction, and McLane said that the only way in which I was possessed of a copy of Mr. Jefferson's message was by my diary, and taking privately a copy of it, as a member of the Senate, when the message was sent in.

I told Cook that I knew not what those gentlemen meant by denominating the transaction disgraceful. I was not aware of anything in it which could even be justly called improper, nor did I know whence Mr. McLane drew his information; that I had not been in the Senate in January, 1803, when this message of Mr. Jefferson's was sent; and I told him how I had found it on the records of the Senate while my own message to Congress was preparing, and the impression it had made on all the members of the Administration when I read it to them.

We were interrupted, and Cook left me, but told my sons that A. Stevenson further said that since my message the excitement against the General Government in Virginia was great and universal; that opinions there had before been divided, but now the whole State would move in one solid column; and he read a part of a letter to him from a person in Richmond, quoting extracts from letters written by Mr. Jefferson and Mr.

Madison, denouncing the doctrines of the message in the most emphatic terms.

Thomas called to speak to me of the Panama mission; said that the Committee of Foreign Relations of the Senate had made a long and ingenious report against it, which would this day be printed; that he did not know how the vote in the Senate would go; he believed there would be a majority to confirm the nomination. The minority, however, would be large, though he would do all in his power to make it smaller. He did not know what the impression of the report had been upon the members of the Senate. He was afraid it would induce Hendricks, of Indiana, to vote against the nominations, but Mr. Seymour, of Vermont, had told him he thought there was not much in the report.

18th. The Secretary at War brought the first draft of a new treaty with the Creek Indians, upon which he has nearly agreed with them, through the medium of Governor Cass. Every attempt to prevail upon them to cede the whole of their lands within the State of Georgia has proved abortive, and after the deputation yesterday left the War Office, under the impression that the negotiation was definitively broken off, the first chief of the deputation, Opothle Yoholo, attempted last evening to commit suicide. This morning, however, a new effort has been made, and they have consented not to depart from the line of the Chattahoochee, but to take a more western branch of it than they had hitherto been willing to yield. Mr. Barbour said this was all he could expect to do, and advised to conclude with them on these terms. I agreed that he should. I read over his draft, and urged the expediency of some supplementary provisions for the benefit of the other portion of the Creek tribe, the friends of Mackintosh, which Governor Barbour promised to introduce.

19th. Hodgson came to say he was preparing to embark for Algiers, and to thank me for the opportunity of going there. My purpose is to attach to each of the Consulates in Barbary a young man for three years, to learn the Turkish and Arabic languages, and the lingua Franca, with a view to have persons among our public officers versed in those languages. I have

desired that Hodgson might be one of those persons, as he has a fondness and a facility for acquiring languages quite uncommon. The other three students of this class I propose to select among the midshipmen of the squadron in the Mediterranean.

20th. Letcher came, under much excitement, upon learning that several of the Kentucky delegation had joined in a written recommendation of General John Adair to the appointment of Chargé d'Affaires to Peru. Adair is about sixty-seven years of age, and has held many offices, the last of which was that of Governor of Kentucky. He never was fit for any diplomatic appointment, and is now fit for nothing. But about half the Kentucky delegation have, nevertheless, warranted him for service. Letcher most earnestly remonstrated against his appointment, which, he said, would have the worst possible political effect in Kentucky. This is precisely what is wanted by those who recommend him. Letcher intimated there was another person in Kentucky whose appointment would be very agreeable; but I reminded him that Kentucky had already more than her proportion of those appointments, and that other parts of the Union claimed also their share.

Mr. Clay advised a communication of documents concerning the projected mission to Panama to the House of Representatives. He was confident of a very decided majority of that House in favor of the mission. He believed there would also be a majority of the Senate favorable to it. But there appeared to be a lingering in that body, and the report of their committee against the mission, which would be made public, could only be answered by a counter-report or an open debate in the House. If the papers should be communicated to them, they would refer them to their Committee of Foreign Relations, and, whatever the disposition of the Chairman, Mr. Forsyth, might be, a majority of the committee were friendly to the Administration, and Everett would be glad to make a counter-report to that of Mr. Tazewell. I told Mr. Clay I would reflect upon the subject, but I thought it might be better to wait for a call from the House than to send the papers to them without it, which would have the appearance of an appeal from the Senate to the House, and would be offensive to the Senate.

Governor Barbour came to say that he had agreed upon a treaty with the Creek deputation; the Chattahoochee to be the boundary.

24th. There is a resolution of the House of Representatives calling for the correspondence with Great Britain not already communicated, relating to the Northwest coast of America. Mr. Clay had sent me a report in answer to that resolution, that there was no such correspondence which could be communicated without inconvenience to the public interest, because the negotiations concerning it were yet pending and unfinished; but I thought it would be more expedient to send to the House my letter of instructions to Mr. Rush, and his report of conferences with the British Plenipotentiaries on this subject. I desired Mr. Brent to have copies of them made for this purpose.

Mr. Clay called to mention that Baron Stackelberg, Chargé d'Affaires from Sweden, has just returned from a leave of absence of nearly two years, and wished to be presented to me. I desired Mr. Clay to inform the Baron that I would receive him at the drawing-room to-morrow. I had directed the same notice to be given to Mr. Vaughan, the British Minister, who had requested permission to present Mr. Ouseley, his Secretary of Legation, recently arrived.

Mr. Clay spoke as altogether certain that the nominations for the Panama mission would be advised and consented to by the Senate. I am not equally sanguine.

Governor Barbour informed me that the new treaty with the Creek deputation was prepared for signature. I authorized him to sign it, and it was accordingly signed at the War Office. I had been anxiously desirous that it should also be signed by the other deputation from the Mackintosh party; but the others would not suffer them to join in the treaty. Governor Barbour said they would sign a separate paper, to be annexed to the treaty. Ample provision is made for them in it, and by terms adjusted with themselves.

Mr. Rush read me a note from Mr. Webster, Chairman of a committee of the House of Representatives, upon the part of the session message relating to the organization of the Execu-

tive Departments, asking his views with regard to the condition of the Treasury Department. Mr. Rush said that the Department required some additional organizations; but he had not yet sufficient experience in it to be prepared with a plan; and this would be the purport of his answer; which I approved.

Mr. Webster has sent a similar note to the heads of all the Departments; but in the proposed bill for the establishment of a Home Department, the duties to be assigned to it will be taken almost entirely from the Departments of State and of War.

Mr. Rush gave me some particulars of his last negotiation in England, and spoke of the great extent and compass of the instructions given him for it. Mr. Stratford Canning's temper in the management of it was such as I had generally witnessed it here. Mr. Rush says Count Lieven told him that Mr. Canning had displayed the same tenacious, irritable, captious, and unconciliating disposition in Russia.

27th. The Secretary of War brought his report on the new Creek Treaty revised, and asked if I could send it in to the Senate this day. I said it was too late; and that with the treaty I wished to send a message assigning the reasons upon which it had been concluded, and for setting aside the treaty of 12th February last. I should be glad to consult the members of the Administration upon the message before sending it in. I would prepare it between this and Monday morning, and I asked him to notify the members of the Administration to meet here on Monday at noon; which he promised.

General Brown called, to consult me with regard to the propriety of his first visiting the foreign Ministers. He said that Mr. Monroe had advised him to visit the Ministers Plenipotentiary, but no other foreign Agents of inferior rank. He had of consequence not visited Mr. Jackson, the British Commissioner under the Slave Indemnity Commission.

I said Mr. Monroe had advised him properly, and I thought he should continue upon the same principle. There was no occasion for him to visit Mr. Jackson, who was not a Minister Plenipotentiary, though much inclined to consider himself so. The General expatiated also much upon the politics of the

State of New York, and the prospects and purposes of Governor Clinton.

30th. Cabinet meeting from noon till four o'clock. I read my draft of a message to be sent in to the Senate with the new Creek Treaty; the report of the Secretary of War, and the treaty itself. Several alterations were suggested by Mr. Clay to the message, which I adopted. Some alterations were also proposed to the report of the Secretary of War, and Governor Barbour took it away to make them. The principal question discussed was, whether all the correspondence with the Governor of Georgia, and all the controversial papers of Governor Troup, J. Crowell, T. P. Andrews, and General Gaines, should be communicated to the Senate with the treaty or not.

Governor Barbour was desirous that they should not be sent; thinking that by withholding them much angry discussion may be obviated.

I assented to the omission, wishing that the whole transaction might be consummated according to the views of Governor Barbour. A principal motive for this is, that Governor Barbour having been intimately confidential with the Georgians, they will be less disposed to violence against a measure entirely his than if it came from other persons.

Mr. Clay rather inclined to the opinion that the whole body of documents should be sent with the treaty; but acquiesced in the suggestion that if any member of the Senate should wish to see the correspondence, he could move a call for it, and it could be immediately sent. It was agreed on all sides that if the Senate advise and consent to the ratification of the treaty when sent to both Houses of Congress for the appropriations to carry it into effect, all the documents must be sent. But they would not be likely to produce so much excitement or debate as at this time, before the decision of the Senate upon the treaty.

Mr. Clay thought the new treaty a much more disadvantageous one to the United States than the former; and I have no doubt it will be so represented. But I am not of that opinion.

31st. I sent a message to the Senate with the new Creek Treaty, No. 22, and one to the House of Representatives, with a report from the Secretary of State, and the correspondence

with Great Britain, relating to territorial boundary on the Northwest coast of America.

Mr. Lowry brought me a resolution of the Senate requesting information whether the Spanish Government have been apprised of our application to the Emperor of Russia for his interposition to prevail on Spain to recognize the Southern American republics, and for any correspondence which has passed on that subject.

While with me, Mr. Clay received a note from Mr. Webster. A debate commenced this day in the House of Representatives on two resolutions calling for papers relating to the proposed mission to Panama. This is the first subject upon which a great effort has been made in both Houses to combine the discordant elements of the Crawford and Jackson and Calhoun men into a united opposition against the Administration. It is at an early stage of its progress, but has already become complicated, and admonishes me to proceed with extreme circumspection.

Day. As the last month. My course of life is very regular; with deep anxieties and oppressive responsibilities, but with comforts calling for boundless gratitude.

February 1st. [Seventeen names in the margin.] This succession of visitors absorbed the whole day and evening, and left me no time for writing. Watkins spoke of the bitter aversion of certain members of Congress from Virginia against the Administration; particularly of Mercer and Bassett against Webster. Mercer is smarting under defeat in an attempt to take the lead out of Webster's hands upon the bill for enlarging the U. S. Judiciary.

3d. [Fourteen names in the margin.] The House of Representatives sat till half-past six, debating a resolution to call upon the President for the correspondence relating to the Panama mission and the objects in which it is expected our Ministers are to take part. They finally passed the resolution, by a vote of one hundred and twenty-four to forty, as modified by Mr. Webster; but there has been much manœuvring in the House: first, to defeat the resolution indirectly; and, secondly, to clog it with embarrassments to the Executive. There was

a union of Crawford, Calhoun, and Jackson partisans to baffle the friends of the Administration. Cambreleng proposed to call for the instructions to the Ministers. McDuffie wanted their powers. Ingham moved to strike out the usual exception of such information as it might be incompatible with the public interest to communicate; and the testing vote was upon that motion, which was lost—seventy-one to ninety-eight. Forsyth talked of the power of the House to send their Sergeant-at-Arms to bring the President of the United States before them. Forsyth was to have dined with me, but sent a note of excuse that he was too much *exhausted.* Dr. Huntt says Forsyth's temper was raised by a blister on the back of his neck, which was drawing when he spoke.

4th. Mr. Clay brought me his draft of instructions to the Ministers to be sent to the Congress at Panama; and he was anxious to send off immediately a messenger to Mr. Anderson, at Bogota, directing him to come down to the coast, there to meet J. Sergeant. I asked him, how if the Senate should reject the nominations? Why, then Mr. Anderson must go back to Bogota, and the expense of his journey would be the only inconvenience suffered. But Mr. Clay will not believe it possible that the Senate should reject the nominations.

5th. Mr. J. B. Cutting called, and mentioned to my son John that one of the New York newspapers spoke of an arrival from Havre announcing the death of the Emperor Alexander at Taganrog, on the Sea of Azoff. He died, it is said, of his old lame leg, the erysipelas striking to it about the 1st of December. The account of this event travelled first to Warsaw, thence to Berlin, whence it was sent by a telegraphic dispatch from the French Minister to his Government, and reached Paris the 17th of December. The Emperor Alexander was perhaps of all living men the man whose life was most important to the rest of mankind. To what changes his death may lead, conjecture is at fault. From personal motives I ought to cherish his memory, for through my agency he rendered essential good offices to my country. His influence upon the history of my life has been great and auspicious.

6th. This evening was absorbed by successive visits from Mr.

Edward Everett and Mr. Mills—the latter of whom told me that the Senate had this day, at the motion of H. L. White, of Tennessee, laid on the table the message nominating Ministers to Panama, avowedly with the purpose of not taking it up till I shall have answered the call from the House of Representatives, and if that should be public, then the Senate would open their doors and discuss the subject in public also.

7th. Dr. Watkins spoke of the transformation recently undergone by the newspaper called the Washington City Gazette. It has been sold by its publisher, Jonathan Elliot, and, Watkins says, purchased by John H. Eaton, Senator from Tennessee. Its name is changed to that of United States Telegraph, and its first number was published last week. The prospectus avows a determined opposition to the present Administration, and, from a sample of bad English peculiar to Calhoun, I have no doubt is from his hand. Watkins asked me if I thought any notice should be taken of this declaration of war. I said, No.

Messrs. Rush, Barbour, Southard, and Wirt were here in Cabinet meeting upon Mr. Barbour's letter to the Chairman of the Committee on Indian Affairs of the House of Representatives. The letter was read, and variously commented upon by the other members of the Administration. Mr. Clay was absent, confined to his house by a relapse of influenza. Mr. Barbour's plan is differently modified from that which he had at first prepared. He has given up the idea of incorporating the Indians into the several States where they reside. He has now substituted that of forming them all into a great territorial Government west of the Mississippi. There are many very excellent observations in the paper, which is full of benevolence and humanity. I fear there is no practicable plan by which they can be organized into one civilized, or half-civilized, Government. Mr. Rush, Mr. Southard, and Mr. Wirt all expressed their doubts of the practicability of Governor Barbour's plan; but they had nothing more effective to propose, and I approved it from the same motive.

Mr. Wirt told me he had heard in Court this day that there was great excitement in the Senate at the resolution adopted last Friday in the House of Representatives, calling for the

papers and objects of the Panama mission, considering it as a stimulant upon them, concerted between the Executive and the majority of the House. Mr. Wirt said he was told this by persons friendly to the Administration, but declined naming them. He suggested that it might be well to send a message to the House to appease this excitement of the Senate.

The annual meeting of the Commissioners of the Sinking Fund was held this morning, and Calhoun there manifested his purpose of draining the Treasury, by applying the balance of the last year's appropriation to paying off debt, beyond the ten millions a year appropriated by law. He obtained no countenance to his scheme, either from the Chief Justice or the Attorney-General. The Secretary of State was absent.

8th. General Smith came with letters concerning an interdiction of our vessels from entering the port of Halifax, or any other of the British Colonies. This is a new provincial movement, founded upon a doubtful construction by the Collector at Halifax of a late Act of Parliament. Smith's correspondents, and he himself, wish me instantly to issue a proclamation admitting British vessels from the Colonies on the same terms as our own, to avert the interdiction; but I am not satisfied of my authority. Smith had also a claim of the State of Maryland for interest upon certain loans during the late war; and he wished me to send a message recommending it to the Senate, as Mr. Monroe had done for the State of Virginia.

I promised to examine the papers which Smith said he would send to me, and if I found the precedent would justify me, I would readily send the message. Smith spoke also of the proceedings of the Senate on the Panama nominations, and said he had voted for the laying them on the table for delay. I said I had a thought of sending a message to the House saying that I could not answer their resolution till the Senate should have acted upon the nomination. Smith said that would put *them* upon velvet. Mr. Brent was here twice, having in the interval seen Mr. Clay at his house, where he is confined by indisposition. He was much averse to the sending of the message which I proposed to the House, thinking it would be

taken as a reproof by our friends in the House who adopted the resolution.

General Brown was here, and enquiring what had been done concerning the appointment of Colonel or General Bissell. I had done nothing. Mr. Scott, of Missouri, had also called to know. I have answered that I have by law no power to act until the Senate shall have acted upon my nomination of him. General Brown adverted to the course of the New York delegation in the House of Representatives—twenty-eight of the thirty-four members in the recent debate on the call voted on the side of the Administration; all, as Brown says, friends of Governor Clinton; upon which he descanted much.

10th. Mr. Southard, Secretary of the Navy, brought applications from Captain Finch, and several other officers of the navy, soliciting furloughs for six months; their object being to accompany Captain David Porter to Mexico. The term of Porter's suspension by the sentence of the Court-martial finished yesterday. He has obtained a furlough for six months longer, and purposes going there to ascertain whether it will be for his interest to enter the Mexican service. He wishes all these officers to go with him, and to make a numerous retinue to go into that service with and under him. They ask leave of absence on various pretexts, and with professions of intentions not to leave our service. I advised Mr. Southard not to allow in any instance a furlough to an officer upon the known intention upon his part to accompany Captain Porter. It is in truth an enticement of officers from our service, and the object is to attempt the invasion of the island of Cuba. This is a project which we ought by no means to encourage or countenance. If any officer is to be furloughed, let it be for avowed reasons of his own concerns, but not from any connection with Porter. I called this morning at Mr. Clay's house, and found him convalescent, but much reduced. I found him still very averse to any answers being sent to the resolution of the House calling for the Panama mission papers until the Senate shall have decided upon the nominations. My own inclination was to have sent the message which I had prepared to the House, stating that my answer to their call must depend upon the decision of

the Senate upon the nominations; but I have, in accordance with the views of Mr. Clay, postponed the message.

13th. Mr. Mills called to mention the embarrassment in the Senate on the nominations for the Panama mission. The opposition, aware that there is a small majority in favor of it, are throwing every possible obstacle in the way of a decision upon it; making question after question of a preliminary nature to waste time and endeavor to gain proselytes.

General Smith, of Baltimore, came again, with more letters about the trade with the British Colonies, said to be interdicted upon a construction given to a late Act of Parliament. Smith showed me a manuscript draft of a bill, which he said he intended to present, for opening the trade by yielding to the terms prescribed by the British. He spoke also of the Panama mission, and asked if I should send a message to the House of Representatives in answer to their call. I said my present intention was to wait till the Senate should have decided upon the nominations. He asked if he might say so. I said he might.

Daniel Brent was here, and I desired him to have a copy of the general part of the instructions to R. C. Anderson in 1823 made out, to send with the other papers to the House.

15th. Mr. Scott came to enquire of my determination upon the case of General Bissell. I told him that the Senate not having acted upon the nomination I had sent in, I did not conceive myself authorized by law to act. He said Bissell was then just where he had been before; which I much regretted, but could not remedy. I received a note from Mr. Clay mentioning a resolution passed this day in session upon Executive business, with a view to embarrass me, and which, he thinks, should be cautiously answered. Incedo per ignes.

16th. Mr. Lowrie brought me this morning the two resolutions of the Senate adopted in Executive session. The first declares that the question of the expediency of the Panama mission ought to be debated in Senate with open doors, unless the publication of the documents to which it would be necessary to refer in debate would prejudice existing negotiations. The second is a respectful request to the President of the United States to inform the Senate whether such objection

exists to the publication of all or any part of those documents, and, if so, to specify to what part it applies.

These resolutions are the fruit of the ingenuity of Martin Van Buren, and bear the impress of his character. The resolution to debate an Executive nomination with open doors is without example, and the thirty-sixth rule of the Senate is explicit and unqualified that all documents communicated in confidence by the President to the Senate shall be kept secret by the members. The request to me to specify the particular documents the publication of which would affect existing negotiations, was delicate and ensnaring. The limitation was not of papers the publication of which might be injurious, but merely of such as would affect existing negotiations; and this being necessarily a matter of opinion, if I should specify passages in the documents as of such a character, any Senator might make it a question for discussion in the Senate, and they might finally publish the whole, under the color of entertaining an opinion different from mine upon the probable effect of the publication. Besides, should the precedent once be established of opening the doors of the Senate in the midst of a debate upon Executive business, there could be no prospect of ever keeping them shut again.

I answered the resolutions of the Senate by a message, stating that all the communications I had made to the Senate on this subject had been confidential; and that, believing it important for the public interest that the confidence between the Executive and the Senate should continue unimpaired, I should leave to themselves the determination of a question upon the motives for which, not being informed of them, I was not competent to decide.

W. H. Harrison called to speak about the case of Bissell, and is extremely anxious that he should be restored to the army, with the rank that he had. This was an old controversy between Mr. Monroe and the Senate, in consequence of which the office of Colonel of the Second Regiment of Artillery has remained four years vacant. The office of Adjutant-General had remained in the same condition. At the extra session of the Senate last March, I nominated Colonel Jones to be the

Adjutant-General, and the Senate advised and consented to the appointment.

On the nomination of Bissell now, they have taken a different course, by passing a resolution that in the opinion of the Senate Bissell is entitled to rank as Colonel in the army from 1812, and Brigadier-General by brevet from 1814, and that the President may arrange him accordingly. Which resolution assumes that the President is to act according to the Senate's opinion of the law, and that the Senate are to inform him how he *may* perform his duty.

Harrison spoke also of their resolutions of yesterday, and apologized for having voted for them.

Mr. Seymour came to speak of the appointment of a Collector in Vermont. The delegation have not yet determined whether to recommend the re-appointment of Fisk or not. He spoke also of the resolutions adopted yesterday by the Senate, which he disapproves.

July 1st. IV. 15. *Saturday.*—Sun rose beclouded. Swam alone half an hour.

Governor Barbour has received a very courteous letter from Governor Troup, of Georgia, upon the interest taken by the Government of the U. S. in the running of the boundary line between Georgia and Alabama; also professing great personal esteem for him. Governor Barbour proposes that on the 4th instant, after the usual ceremonies at the Capitol, he should address the audience, and invite an immediate subscription for the benefit of Mr. Jefferson. Says he proposes to give a hundred dollars himself. Mr. Rush came in while we were speaking of it. I doubted the expediency of the measure, and its success; and thought it would be more likely to succeed if a meeting should be called and a subscription raised as elsewhere. Governor Barbour says the late rains have done immense and irreparable damage to his estate—his loss many thousands.

Mr. Rush, in preparing to answer a resolution of H. R. for a *manual* concerning the cultivation of silk, finds the subject grow upon him, proposes postponing the report, at least until the first session of the Twentieth Congress, and thinks of send-

ing a person to visit the principal silk manufactures of Europe. I agreed upon the necessity of postponing the report, but advised waiting at least till the next session before sending an agent, the expense of which I thought would be great. Mentioned to him the case of Hassler, who was sent to Europe to procure instruments for the survey of the coast—who purchased books and instruments to the amount of about seventeen thousand dollars, with a charge of more than twenty thousand dollars additional for his compensation and expenses.

3d. Mr. Dameille brought a subscription paper for a discourse to be published by him, containing his plan for civilizing the Indians. His plan embraces a farm and school, and his object is to civilize the Indians, by securing to them settlement on the soil. I asked him if he had communicated his plan to the Secretary of War.

He said he had, and that he had a letter from Mr. Hamilton, the Clerk in the Department, charged during Mr. McKenney's absence with Indian Affairs, to the Governor of Arkansas, requesting his assistance to promote his contemplated establishment.

I told him that his object was laudable, but the means were not approved by the white people settled in Arkansas, their very earnest object being the removal of the Indians from their neighborhood. I advised him to see the Secretary of War again and make known to him his whole plan. Barnes came on a visit; much dissatisfied with Knight for deciding against carrying the continuation of the Cumberland Road through Barnesville. Beverley Randolph, Marshal of the arrangements for the celebration of to-morrow, brought me a note from General Walter Smith, with notice that the volunteer corps of the brigade under his command would, if agreeable, pay me a passing salute at my door at nine o'clock to-morrow morning. I desired Major Randolph to return verbally my thanks to General Smith for the compliment.

Dr. Watkins called to say that he and Mr. Asbury Dickins, two members of the Committee of Arrangements, would attend me to the Capitol to-morrow. He also showed me the answers from the surviving signers of the Declaration of Independence

and Ex-Presidents, declining the invitations to attend the celebration here. Mr. Jefferson's is in the freest style; my father's is signed with his own hand; Mr. Carroll's apparently written with his own hand, as are Mr. Madison's and Mr. Monroe's. T. Ringgold, the Marshal, came to take directions for the arrangements of police to-morrow; T. Law, to recommend attention to the national currency; Rush, with letters from C. J. Ingersoll and Conard, the Marshal at Philadelphia, concerning the second abortive attempt to sell two of E. Thomson's ships. I thought no further attempt should be made till after the sitting of the Court. Rush doubted much the expediency of Governor Barbour's projected address to-morrow, but, as it was announced in the papers this morning, it is best to carry it through.

4th. Mr. Rush and Governor Barbour came about nine in the morning. Mr. McLean, the Postmaster-General, and the Reverend Messieurs Baker and Hawley. The volunteer companies assembled on the square fronting the house, and paid the passing salute by marching through the yard. I then joined in the procession, Mr. Ringgold, the Marshal, and Messrs. Watkins and Dickins, two of the members of the Committee of Arrangements, riding in the carriage with me. General Philip Stuart, with Commodore Bainbridge on his right, and General Jessup on his left, immediately preceded, on horseback, my carriage, bearing the standard of the United States. Vice-President Calhoun, in his carriage, followed mine. Arriving at the door of the Capitol, I was there met by Mr. Anderson, the Comptroller, with whom we entered the hall of the House of Representatives. The Reverend Mr. Ryland made an introductory prayer.

Joseph Anderson, the Comptroller, read the Declaration of Independence; Walter Jones delivered an oration commemorative of the fiftieth anniversary; the Reverend Mr. Post, Chaplain of H. R. U. S., made a concluding prayer.

After which, Governor Barbour delivered an address to the citizens assembled, soliciting subscriptions for the relief of Mr. Jefferson. Mr. Rush also, upon the floor of the House, made a short address to the same purpose. Not more than four or five subscribers were obtained, and notice was given by Gov-

ernor Barbour that others would have the opportunity to subscribe afterwards. The procession, with the exception of the military companies, returned to the President's house, where we received visitors till about three o'clock, when I withdrew to my cabinet. Jones's oration was ingenious, and far wide from the commonplaces of the day. But he had written it in loose fragments, without much connection, and had not committed it to memory. So he read from his notes, and commented upon them extemporaneously, which made a desultory composition, full of interesting matter, but producing little effect as a whole.

Governor Barbour's address was the overflowing of a generous, benevolent, and patriotic heart, respectable even in its inefficiency.

Mr. Rush spoke also very impressively, and with correct elocution.

I received a letter from Mr. Gallatin, who is not satisfied with his instructions. He sailed on the 1st of this month from New York on his mission to Great Britain.

5th. As on many other occasions, I have betaken myself to a pursuit which already absorbs too much of my time, and would, if indulged, soon engross it all. The resolution of H. R. U. S. looking to the cultivation and manufacture of silk, and the wish to promote the plantation of live- and white-oak and perhaps other forest-trees, has driven me to consult at once the books and the forests, and to show me again how much I have yet to learn. The leaves that I took from three lofty and beautiful oaks, standing side by side of each other, were of three different varieties of the tree—two of them not described or represented by Michaux, and several of those described by him are so much alike that I cannot determine to which of several varieties those that I find belong. I propose to commence a nursery the next autumn, and to plant acorns, hickory-nuts, and chestnuts. But what is the season for planting, and how is the nursery to be managed? I should have commenced this process at least thirty years since, but I have never had a permanent residence, and now I shall plant, if at all, more for the public than for myself. Mrs. Adams and Elizabeth made draw-

ings from the leaves of the loftiest of the trees which I had visited. The leaves are of various forms on the same tree, corresponding more with the Spanish oak of Michaux than with any other, but not well with that. I now perceive the use of teaching young ladies to draw leaves and flowers from nature. This study is one which ought to be commenced young, and pursued through a whole life. But I have had no opportunities for it.

6th. Governor Barbour brought information of the decease of Mr. Jefferson at Monticello on the 4th inst., at ten minutes past one in the afternoon—a strange and very striking coincidence. It became a question whether the event should not be noticed by some act of the Administration. Several measures suggested themselves, and were taken for further consideration. The precedent in the case of General Washington's decease was adverted to and examined. But the Congress were then in session, and, excepting the orders for military honors, all was done at the recommendation and by resolutions of that body. We now concluded that general orders to the army and navy would be proper and indispensable, and would reflect till tomorrow on the expediency of issuing a proclamation to the people. Governor Barbour will prepare the order to the army, and Mr. Rush, in the absence of Mr. Southard, that to the navy, and I prepared this evening the draft of a proclamation, but after writing it became convinced in my own mind that no such paper should issue.

General Brown introduced to me three Quakers from Ohio, one of whom, Elisha Bates, gave me a book of his composition containing a summary of the doctrines of that society, and an exhortation which appeared to be an outpouring of the Spirit.

Mr. Conard, the Marshal of Eastern Pennsylvania, came to attempt some new arrangement respecting Edward Thomson's ships and their cargoes. The insurance companies have not carried their agreement into execution, and now wish for another. Mr. Conard will confer with the Secretary of the Treasury. In my walk this morning to the race-ground, I found a number of fine large oaks, with very variegated foliage, and several fine hickories, both shell-bark and pig-nut. The

prevailing oaks are the white, post, red, black, pin, and various nondescripts—perhaps the Spanish.

7th. I walked again through the oak shrubbery, and selected various leaves, none, however, different from those I had found before.

There was a meeting of the members of the Administration, Mr. Southard having returned from his visit in Virginia. It was upon full consideration decided that there should be no proclamation upon the occasion of the decease of Mr. Jefferson; but I mentioned my opinion that it should be noticed in the next annual message to Congress; which was approved. General Orders from the War and Navy Departments for the exhibition of funeral honors to the deceased were deemed proper. Governor Barbour prepared such an order to be sent to General Brown and transmitted by him as commander-in-chief. Mr. Southard undertook to prepare a similar order to be sent to all the naval stations. It was also thought proper that the inhabitants of Washington, at the call of the Mayor and city authorities, should take measures appropriate to the occasion. A funeral service at the Capitol, at which the chaplains of both Houses of Congress should officiate, occurred to me as very proper; and the selection of a person connected with the Administration, and of distinguished talents, to pronounce a funeral eulogy, was suggested by Governor Barbour and Mr. Rush, who mentioned Mr. Wirt, the Attorney-General, as well qualified for the task.

General Brown was also here, and, upon receiving the order from the War Department, will prepare an order to be sent to all the military stations.

Henry Lee called, and told me that he had been last week to Monticello to consult some papers relating to the Revolutionary War in Mr. Jefferson's possession, and of which he had promised Mr. Lee the perusal. He was there last week, on Thursday, when Mr. Jefferson was, though ill, yet able to converse with him on the subject, and hoped to be able to examine the papers with him in a few days. But from that time Mr. Jefferson grew worse, and on Sunday Lee gave up all expectation of seeing the papers, and left Monticello and Charlottesville, and returned.

Mr. Southard came a second time with papers relating to the purchase of one of the Greek frigates building at New York. Contostavlo and the contracting houses have left the questions about their accounts to arbitration.

8th. The mail this morning brought me three letters. One, dated the 3d, from my brother Charles's daughter, Mrs. Susan B. Clark, informing me that my father's end was approaching; that she wrote me because my brother was absent in Boston; that Dr. Holbrook, who was attending as his physician, thought he would probably not survive two days, and certainly not more than a fortnight. The second was from my brother, written on the morning of the 4th, announcing that, in the opinion of those who surrounded my father's couch, he was rapidly sinking; that they were sending an express for my son in Boston, who might perhaps arrive in time to receive his last breath. The third was from my brother's wife to her daughter Elizabeth to the same purport, and written in much distress.

I immediately took the determination to proceed as speedily as possible to Quincy; and the remainder of the day was occupied in making preparations for my departure to-morrow morning. Mr. Southard, Mr. Rush, and Mr. Barbour were here separately in the course of the day, and together in the evening; as was Mr. Brent, of the Department of State. I left the affairs of each Department in charge of the officer at its head; and had not even time to give directions with regard to any special business of either Department.

I signed an order for the discharge of Harry Thomas from prison upon a forfeited recognizance, and had conversation with Mr. Rush upon the applications of the insurance companies respecting the sales of Edward Thomson's ships and their cargoes. It was agreed that the security of the insurance companies should be taken for one another. Mr. Southard is to purchase one of the Greek ships, if the agent, Contostavlo, is desirous of making the sale. The further proceedings of funeral honors to Mr. Jefferson I left altogether to be settled by the heads of the Departments. I was up, in anxiety and apprehension, till near midnight. The suddenness of the notice of my father's danger was quite unexpected. Some weeks since, my

brother had written to me that he was declining, though not so as to occasion immediate alarm; and my intention had been to visit him about the beginning of the next month. I had flattered myself that he would survive this summer, and even other years.

9th. IV. Sun rose 4.39. Washington; Baltimore; Frenchtown. At five this morning I left Washington, with my son John, in my own carriage with four horses. Yesterday had been one of the hottest days of the summer, and there was every prospect that this day would be not less so. A light easterly breeze, however, came up as the sun rose, and continued through the day. The heat of the sun was, however, intense. My servant, William Pote, was sent with our trunks of heavy baggage in the stage. We stopped half an hour, between seven and eight, at Ross's Tavern, and reached Merrill's, at Waterloo, where we breakfasted, before eleven. Mr. Merrill told me that he had come this morning out from Baltimore, and was informed there that my father died on the 4th of this month about five o'clock in the afternoon. From the letters which I had yesterday received, this event was so much expected by me that it had no sudden and violent effect on my feelings.

My father had nearly closed the ninety-first year of his life—a life illustrious in the annals of his country and of the world. He had served to great and useful purpose his nation, his age, and his God. He is gone, and may the blessing of Almighty Grace have attended him to his account! I say not, May my last end be like his!—it were presumptuous. The time, the manner, the coincidence with the decease of Jefferson, are visible and palpable marks of Divine favor, for which I would humble myself in grateful and silent adoration before the Ruler of the Universe. For myself, all that I dare to ask is, that I may live the remnant of my days in a manner worthy of him from whom I came, and, at the appointed hour of my Maker, die as my father has died, in peace with God and man, sped to the regions of futurity with the blessings of my fellow-men.

We proceeded on to Baltimore, and dined at Barnum's Tavern. I wrote a short letter to my wife, to be taken by the coachman, who returns with the carriage and horses to Washington. At Baltimore, I saw the New York Evening Post of

Friday, the 7th, containing a handbill of the 5th, issued from the Courier office at Boston, with an account of the proceedings of the Governor and Council of Massachusetts, and of the city authorities of Boston, upon the decease of my father. Colonel Bentalou, the U. S. Marshal, called upon me, and accompanied me to the steamboat Constitution, Captain Thomas. We left the wharf at five in the afternoon, with a bright and fervent sun, and a very gentle breeze. Passengers in the boat few. I slept from eight in the evening till we arrived at Frenchtown, at midnight. There I took a stage to New Castle.

10th. We had rather a tedious ride to New Castle, where we arrived about four in the morning. The latter part of the night was chilly. We embarked in the steamboat Baltimore, Captain Whelden, who gave me the berth in his own cabin, where I slept a couple of hours. We arrived at Philadelphia about nine. I called upon Mr. John Sergeant, and then upon C. J. Ingersoll, where I found R. Peters, Jr., and Dr. John Hopkinson. I spoke to Mr. Ingersoll concerning the case of E. Thomson and his teas, and particularly the claim of Nevins. I said I thought the security of the insurance companies for one another should be taken; that every measure consistent with indispensable regard to the public interest should be taken to avoid all unnecessary pressure upon that of individuals, and that the sales of the teas and the ships should be made in such manner as would be most conducive to the interest of all parties concerned. I said he might consider himself so far authorized to act by me, as he would in two or three days receive a communication to the like effect from the Secretary of the Treasury.

I asked R. Peters to procure for me some chestnuts from the trees in his father's garden, planted by his father and by President Washington. He promised to furnish me both with nuts and with young trees from them. At noon I embarked in the steamboat Philadelphia for Trenton. John Sergeant determined to go with me to New York. Peters came as far as Trenton, and J. Connell to Bristol. We had also as fellow-passengers in the boat, Judge King, Charles Shaler, and Dr. Joel B.

Sutherland, going on a tour Eastward, as Commissioners appointed by the Legislature of Pennsylvania to report upon a penitentiary system. Mr. Wharton and G. Clymer were also passengers in the boat. We grounded two or three times before reaching Trenton, and were delayed about an hour, but got to the wharf about five P.M. I invited Messrs. King, Shaler, and Sutherland to ride with me to Brunswick. Shaler, having his wife with him, declined. The others, with Sergeant, came with me. The day was intensely warm, with a bright sun, but after his setting we had a cool evening ride, and alighted at the Steamboat Hotel in Brunswick about ten at night. The house was very full, and the accommodations indifferent. My son John and I had a very small chamber, with two beds between us. Commodore Bainbridge's daughter, Mrs. Hays, with her husband, Captain Hays, were also passengers in the boat, and I ought to have recognized them, but did not till they were named to me.

11th. IV. Brunswick; New York; Long Island Sound. My age fifty-nine. Embarked at Brunswick in the steamboat Emerald at five in the morning, an hour earlier than we had been told last night, whereby several of the passengers narrowly missed losing their passage. The boat grounded three times, and we were detained nearly two hours. We reached New York at half-past eleven. George Sullivan met us at the boat. I stopped and dined at the City Hotel. Sergeant, King, Shaler, Sutherland, Wharton, G. Sullivan, Charles King, and Joseph Blunt dined with us. I received visits from P. Hone, the Mayor, and two Aldermen of the city, with friendly condolence from the city authorities on the decease of my father. The Mayor delivered to me a letter from himself, with a copy of the resolutions, for which I requested him to assure the Aldermen and Common Council of my sensibility and gratitude; and promised to send him at an early day a written answer. I had visits also from Colonel Tattnall, of Georgia, C. C. Cambreleng, Stephen M. White, of Salem. Mr. Bogert, the Russian Consul, and some others, also called upon me. I wrote a short letter to my wife, and at three in the afternoon took leave of my friends, and embarked in the steamer Connecticut, Captain

Comstock. I found as fellow-passengers, Mr. Henry Wheaton, with two children, a Mr. Church, of Providence, and many others, all strangers. The weather was intensely warm, and when we came to the passage of Hell Gate, the water was scarcely at half tide. We had no small difficulty in stemming the current, and labored slowly through the passage. Mr. Wheaton introduced to me a Mr. Parmentier, a Frenchman, engaged in cultivating a vineyard upon Long Island. He is going to Boston, and showed me several letters of introduction to highly-respectable persons there. He raises only European grapes, from a theory opposite to that of Mr. Adlum. He was very communicative, according to the French manner, and very sanguine of success. The evening was fair, with a cooling breeze, and our boat made rapid progress up the Sound.

I was left much of the evening to my reflections upon this return of my birthday, and the peculiar circumstances with which it is attended. The duty of weaning myself from the world and all which it inherits is that which impressed itself most forcibly upon my mind; not without the consciousness of my own frailty, and of the need of assistance and support from the Spirit of Truth.

12th. The day was fine, and on rising this morning the steamboat was off the Gull Island Light. We touched at Newport at half-past ten. Mr. D. J. Pearce came on board, and gave me a pressing invitation to stop there on my return. At half-past one we arrived at Providence, and I took immediately a carriage to proceed to Boston. I invited Mr. Davis, a son of Jonathan Davis, of Boston, and his cousin, Miss Deblois, to ride with me. Mr. Wheaton and his children went no farther than Providence. At Attleborough we saw Colonel Hatch. Dined at Fuller's, at Waltham, and at half-past nine in the evening alighted at Hamilton's Exchange Hotel at Boston. Four days from Washington. The weather all the time fine, but the heat intense. Fahrenheit's thermometer this day at ninety-six.

My son George came in shortly after, and was with me till near one in the morning. He informed me of the circumstances of my father's last moments, and of those attending the funeral. George himself was on the 4th in Boston, ex-

pecting to attend with his company at the celebration of the day. An express was sent for him, and he came out about noon. My father recognized him, looked upon him, and made an effort to speak, but without success. George was with him at the moment when he expired, a few minutes before six in the evening. Mr. Quincy, who, on the 4th, delivered an oration at Boston, came out the next morning. The arrangements for the funeral were made with his concurrence. It took place on Friday, the 7th. There was a great concourse of people from this and the neighboring towns. Mr. Whitney delivered a sermon from 1 Chronicles xxix. 28: "He died in a good old age, full of days and honor." About two thousand persons took a last look at his lifeless face, and all that was mortal of John Adams was deposited in the tomb.

13th. IV. 30. Boston; Quincy. Night of intense heat. I know not that I ever experienced at Washington a warmer night. The morning, however, was cooler. Mr. Edward Cruft, Dr. T. Welsh, Mr. D. Webster, Judge Joseph Hall, and Mr. F. C. Gray called upon me this morning. After breakfast I came out with my two sons, George and John, to Quincy. I found at my father's house my brother with his family. Everything about the house is the same. I was not fully sensible of the change till I entered his bed-chamber, the place where I had last taken leave of him, and where I had most sat with him at my two last yearly visits to him at this place. That moment was inexpressibly painful, and struck me as if it had been an arrow to the heart. My father and my mother have departed. The charm which has always made this house to me an abode of enchantment is dissolved; and yet my attachment to it, and to the whole region round, is stronger than I ever felt it before. I feel it is time for me to begin to set my house in order, and to prepare for the church-yard myself. Other duties in the mean time devolve upon me from this recent event, the full extent of which I pray that I may know; as I do for the holy Spirit of grace to discharge them.

14th. Company occupied most of the day. My reflections upon my own situation and duties engrossed the remainder, so that I found barely time for writing to my wife. My father,

by his will, has given me the option of taking this house and about ninety-three acres of land round it, upon securing the payment of ten thousand dollars, with interest, in three years from the time of his decease. After making this request, he made a donation to the town of part of the lands, detaching eight acres on the road, of the grounds opposite to the house, but leaving the condition unaltered. It is repugnant to my feelings to abandon this place, where for near forty years he has resided, and where I have passed many of the happiest days of my life. I shall within two or three years, if indulged with life and health, need a place of retirement. Where else should I go? This will be a safe and pleasant retreat, where I may pursue literary occupations as long and as much as I can take pleasure in them. I cannot sufficiently anticipate my own dispositions to know whether the country will for the whole remnant of my days fill up my time and attention so much as to sustain the interest of existence. From an active and much agitated life to pass suddenly and forever to a condition of total retirement, and almost of solitude, is a trial to which I cannot look without some concern, and with far more for my immediate family connections than for myself. Perhaps I shall find that in the winter season the excitement of a city will prove to be a necessary of life. But even in that case, the country will be not less indispensable as a residence for the summer. By taking this place I avoid the necessity of building a house, which would be a heavy aggravation of expense.

15th. Read my father's will with my brother. We examined partly the papers left by him, and compared the devises with the subsequent donations to the town of Quincy; many deeds of real estate, the location of which is to be ascertained. Mr. Quincy came at three this afternoon, and we looked over the papers together. Several questions arise as to the meaning of the will. Mr. Quincy thinks the sales directed by the will must be at auction. Bonds are to be given by him and me to the Judge of Probate, both as executors and trustees. How is the will affected by the subsequent devise to the town? How by his donations to me? Meaning of the term family pictures? I agreed to see the Judge of Probate and make arrangements

with him for the probate of the will and the execution of the bonds, and then give notice to Mr. Quincy. I spoke with T. Greenleaf concerning the building of the temple directed by my father's donations; and of my wish to have a vault under it, where the remains of my father and mother may be deposited, with a marble slab with a commemorative inscription. He said he would have a meeting of the parish called to consider of the subject, and thought they would readily agree to this proposal.

16th. Heard Mr. Whitney from 1 Corinthians xv. 19: "If in this life only we have hope in Christ, we are of all men most miserable." A discourse somewhat occasional upon the decease of my father. But he preached a sermon at the funeral. I have at no time felt more deeply affected by that event than on entering the meeting-house and taking in his pew the seat which he used to occupy, having directly before me the pew at the left of the pulpit, which was his father's, and where the earliest devotions of my childhood were performed. The memory of my father and mother, of their tender and affectionate care, of the times of peril in which we then lived, and of the hopes and fears which left their impressions upon my mind, came over me, till involuntary tears started from my eyes. I looked around the house with enquiring thoughts. Where were those whom I was then wont to meet in this house? The aged of that time, the pastor by whom I had been baptized, the deacons who sat before the communion-table, have all long since departed. Those then in the meridian of life have all followed them. Five or six persons, then children like myself, under the period of youth, were all that I could discern, with gray hairs and furrowed cheeks, two or three of them with families of a succeeding generation around them. The house was not crowded, but well filled, though with almost another race of men and women. It was a comforting reflection that they had the external marks of a condition much improved upon that of the former age. Mr. Brooks, of Hingham, preached in the afternoon from Revelation ii. 10: "Be thou faithful unto death, and I will give thee a crown of life." Also an occasional sermon, intelligent and affecting.

20th. I asked Mr. Whitney to favor me with a perusal of his sermon delivered at my father's funeral, which he did. I walked to the burying-ground with my son George, and saw there Josiah Adams at work covering the tomb to protect it from the weather. I visited the four granite monuments erected by my father to the memory of his ancestors—Henry Adams, Joseph Adams, Senior, and his wife, Elizabeth Baxter, Joseph Adams, Junior, and his wife, Hannah Bass, and John Adams and his wife, Susanna Boylston, my father's parents. There is a mistake in the inscription, naming Hannah as the daughter of Thomas, which should be John, Bass. The whole inscription is of ambiguous purport, not being engraved in the proper lapidary manner. I found also in the yard the gravestone of Joanna Quinsey, wife of Edmund Quinsey, with this inscription: "Here lyeth buried y^e^ body of Mrs. Joanna Quinsey, wife of Mr. Edmund Quinsey, aged 55 years. Dyed y^e^ 16th of May, 1680." And upon the copy of the town records I found Edmund Quinsy and Joanna Hoar, married 26th—5th July, 1648; the names of twelve children born of them from June, 1649, to March, 1667; and then Edmund, son of Edmund and Elizabeth his wife, born 14th October, 1681, and Mary, born 7th December, 1684. Of the children born of Joanna, Daniel was the second, born 12th September, 1650. And he was the father of my great-grandfather, from whom I was named John Quincy.

21st. Dr. Holbrook, who, as a physician, attended my father, gave me some particulars of his last days. He retained his faculties till life itself failed. On Saturday, the 1st of this month, he had rode down to Mr. Quincy's, and after his return dined below. On Sunday he was much distressed by his cough, but neither then nor on Monday kept his bed. My brother that day went to Boston. Mrs. S. B. Clark, my brother Charles's daughter, on Monday asked my father whether she should write to me. He said at first, "No. Why trouble my son?" but, after a momentary pause, said, "Yes, write to him." She wrote accordingly. In the night of Monday he suffered much. On Tuesday morning an express was sent for my son George, who was at Boston attending on the celebration of the day. He came out immediately; was here between noon and one.

He was recognized by my father, who made an effort to speak to him, but without success. George received his expiring breath between five and six in the afternoon. He had in the morning been removed from one bed to another, and then back. Mrs. Clark said to him that it was the 4th of July, the fiftieth anniversary of independence. He answered, "It is a great day. It is a good day." About one, afternoon, he said, "Thomas Jefferson survives," but the last word was indistinctly and imperfectly uttered. He spoke no more. He had sent as a toast to the celebration at Quincy, "Independence forever." Dr. Holbrook said his death was the mere cessation of the functions of nature by old age, without disease.

22d. IV. 30. Sun rose beclouded.

I was engaged all the morning in examining the papers left by my father, and completed the lists of the vouchers and securities of personal estate. I also assorted and filed most of the obsolete and useless papers. This led me to an attentive reperusal of the wills of my grandfather John Adams, Senior, proved 10th July, 1761, with the probate annexed, and an inventory of the estate; of my great-grandfather Joseph Adams, Junior, dated 23d July, 1731, the copy of which, without probate and unexecuted, is in the handwriting of his son, my grandfather; and of my great-great-grandfather Joseph Adams, Senior—an office copy, attested by William Cooper, Registrar of Probate. This will is dated 18th July, 1694. On each of these three wills there is an endorsement in my father's handwriting, subscribed with his name, dated Boston, April 29th, 1774, giving short notices of the testators, and marking where they lived in Braintree. Under which, upon each, are the following lines:

> What Fortune had he, pray? His own;
> And better got than Bestia's from the throne.

On the will of Joseph Adams, Sr., is another endorsement, without date, but evidently written at the same time with the others, tracing from this Joseph Adams the descent of Samuel Adams, then a Representative from Boston, and Clerk of the House in the Colonial Legislature, with a high eulogy upon

him, as a writer, politician, and patriot. These papers awaken again an ardent curiosity to know more of these forefathers, who lived and died in obscure and humble life, but every one of whom, from the first settlement of the country, raised numerous families of children, and had something to leave by will. There could indeed be nothing found of them but "the short and simple annals of the poor."

23d. The President of Harvard University, Dr. Kirkland, came from Cambridge, and preached two sermons, occasional on the decease of my father. That of the morning was from Proverbs x. 7: "The memory of the just is blessed;" and was a warm, animated, and affectionate tribute to the character of my father. It was a discourse well composed, written in an elegant style, which, after enumerating the various sources from which blessedness becomes an attribute of the memory of the just, applied them to the character, conduct, and life of the deceased. There was no particular allusion to any special incident of his history, nothing merely chronological, but the distinguishing traits of his character were presented in general language, pointing rather to the results than to the facts by which their progress was indicated. Many parts of it were to me deeply pathetic; but towards the close he introduced a few sentences of direct reference to my almost adored mother, which affected me more than I was aware it was in the power of human speech to do. He also concluded in a very affecting manner by a quotation of that eloquent appeal to the virtue and patriotism of the youth of America, in the last letter of the Defence of the Constitutions. The afternoon sermon was from Hebrews xi. 13: "These all died in faith, not having received the promises, but having seen them afar off, and were persuaded of them, and embraced them, and confessed that they were strangers and pilgrims on the earth." It was a continuation of the same subject as the morning, but with reference to the prospects and promises of a future life. Less pathetic, but still more solemn, than the discourse of the morning. The Doctor dined with us, and also spent the afternoon here, from the issue of the service till near sunset, when he went to pass the night at his sister's at Milton. He promised me copies of both his sermons, and

told me that the American Academy of Arts and Sciences had elected him to deliver a discourse before them upon this event, at a meeting to be held on the 30th of October, my father's birthday; and he asked me many questions concerning his literary and scientific tastes and pursuits, on which I gave him all the information in my power.

24th. My class-mate of Cambridge, Mr. Harris, minister of the First Church at Dorchester, paid me a short afternoon visit. Mr. Pollard, with Marshal Harris, came with an invitation from the Aldermen and Common Council of Boston, of my attendance at the oration to be delivered by Mr. Webster at Faneuil Hall, at Boston, on Wednesday, the 2d of August. I promised to attend.

25th. I received a multitude of letters and dispatches, and answered immediately a letter of the 17th from my wife. Mr. Thayer and Deacon Hunt came as a committee from the united parishes of Braintree and Weymouth, and invited me to attend an oration, to be delivered by Mr. Storrs, on Thursday of next week, in Weymouth—which invitation I accepted. Deacon Hunt, whom I had never seen, told me that his wife said she remembered having gone to school with me to Mr. Shaw, at Weymouth, in 1774. Her name was Pratt. I remember, not her, but going to the school, very well. Mrs. Quincy brought and lent me the second Edmund Quincy's will. She spoke of the temple, for the building of which in this town my father had provided in part, and of some proceedings of the inhabitants towards commencing it. She suggested the idea of having apartments for depositing in it the library given by my father to the town; which is worthy of grave consideration.

This afternoon, Mr. Thompson, Chairman of a Committee of Arrangements at Charlestown, came out with Mr. Jarvis and invited me to attend at the delivery of an oration by Mr. Edward Everett, next Tuesday, at three in the afternoon, at that place. I mentioned the necessity of my personal attendance at the Probate Court in Dedham on Tuesday morning, but, presuming I should be but a short time detained there, I accepted the invitation to Charlestown for the afternoon; engaging to give them notice if I should find it impracticable.

26th. Mrs. Cushing, widow of the late Judge Cushing, came to spend some days here. The morning was very warm, but just after dinner there was a thunder-shower, followed by steady rain till late in the evening, which confined us all to the house. Mrs. Cushing entertained us with many anecdotes of ancient days, from the time of my father's law-studies with Mr. Putnam, at Worcester, down to the decease of her husband in 1811. Among the rest, she says that on the day when my father argued his first cause in the Superior Court, some of the Judges were afterwards enquiring at dinner who he was, and Governor Hutchinson, then Chief Justice, said that whoever should live to see it would find in him a great man.

She also told of the last meeting of the Judges of the Superior Court under the King's Government, in 1774, to which her husband had then just been appointed in the place of her father —when, at the dinners given to the Judges by Sheriff Greenleaf and others, she heard much political conversation, and Mr. Putnam said that five hundred red-coats would set all the minute-men throughout the Colony a scampering.

27th. I received this morning letters from the Secretary of War, Mr. Barbour, and the Commissioner of the Land Office, G. Graham. The former enclosed a letter from Governor Troup, of Georgia, complaining that the Cherokees had stopped certain surveys ordered by the State authority in the unsettled parts of the State—meaning within the lands of the Cherokees; and a letter from Mr. Fulton, the State Surveyor, to him, containing the statement of his being stopped by Hicks. Troup says no more in his letter; but Governor Barbour mentions what has appeared in the newspapers, that Troup has ordered out the militia of the State to proceed with his surveys; the object of which is to make a canal.

The members of the Administration at Washington referred to me what was in this case to be done, the Secretary of War having prepared and sent me the draft of a letter to Hugh Montgomery, U. S. Agent with the Cherokee Indians, directing him to urge them by reasoning to permit the surveys to be made. Deprived of the benefit of advising with the members of the Administration, I was now compelled to take counsel

from my own reflections only. After much meditation, I prepared the draft of an answer to Governor Troup's letter, to be signed, with such modification or alteration by the Secretary of War as he shall deem advisable. Mr. Barbour was unwell, and was to leave Washington for Barboursville, in Virginia, immediately after he wrote me. Mr. Graham's letter enclosed two proclamations for the sale of lands in the Territory of Arkansas for my signature. I signed them, filled the blank dates with the 1st of August, and answered his letter. This public business painfully occupied a great part of the day. Mr. Richards came with an invitation to me to attend at an oration to be delivered next Monday at Dedham, in honor of my father and Mr. Jefferson—which I accepted. Messrs. Loring, Stephens, , as a committee from a meeting of the young men of Boston, to invite me to attend an oration to be delivered to them by Mr. S. L. Knapp next Wednesday morning at seven o'clock—which I accepted.

28th. [Twenty-one names in the margin.] This list of visitors indicates one of my excuses for a day nearly idle. Mr. Jarvis and Mr. Thompson came from Charlestown to enquire if it would be agreeable to me next Tuesday, before the delivery of the oration, to see any respectable citizens who may wish to be introduced to me; to which I readily assented, requesting only that no discrimination might be made, but every one introduced to me who should come and desire it. I answered the letter of condolence from the Chairman of the meeting of the citizens of the city and county of Philadelphia.

29th. The evening was uncommonly clear, starlight, and I passed from one to two hours with George and T. B. Adams, Jr., in the road fronting the house, showing them the constellations of the zodiac from Libra to Aries inclusive; the Great and Little Bear; Cassiopeia; the Swan, the Dolphin, Aquila, Cepheus, Perseus with the Head of Medusa, Andromeda, the Square of Pegasus, Lyra, Boötes, with Arcturus and his Sons, the Northern Crown, with Gemma and Fomalhaut of the Southern Fish. The planets Jupiter and Venus, in near conjunction, had set in the constellation of Virgo before nine. There was not a cloud visible above the horizon; but luminous

meteors were shooting from time to time in various directions. It was past eleven o'clock before we came in.

31st. After dining at noon, I went with my brother, his son T. B., and my sons G. W. and John, to Dedham. We stopped at Alden's Tavern, where about two hundred persons, inhabitants of that place, and of the other towns of the county, were introduced to me. Between three and four we went in procession to the meeting-house, where the funeral solemnities were performed. Mr. Boyle, an Episcopal clergyman, read select portions of Scripture. Mr. made the opening and Mr. White the concluding prayer. Two anthems, a dirge, and an original occasional hymn, written by Horace Mann, were performed by a choir of singers accompanied by the organ, and a eulogy upon John Adams and Thomas Jefferson was pronounced by Horace Mann, of splendid composition and lofty eloquence. The last anthem was Pope's Dying Christian. The house was full, without being crowded; at least half the company were ladies. After returning in procession to the tavern, I thanked the several performers of the day, and we came back to Quincy. I read to the family Mr. Edward Everett's oration delivered at Cambridge on the 4th of this month. It is like all his writings —full of thought, of argument, and of eloquence, intermixed with a little humorous levity and a few paradoxical fancies. There is at this time in this Commonwealth a practical school of popular oratory, of which I believe myself to be the principal founder by my own orations and lectures, and which, with the blessing of Him who reigns, will redound to the honor and advantage of this nation and to the benefit of mankind.

August 1st. At two we proceeded to Charlestown, and were met at the bridge by one of the marshals of the day, who conducted us to the house of Mr. Thompson, the Chairman of the Committee of Arrangements. Here a small number of the citizens were introduced to me, among whom several had been at the battle of Bunker's Hill, and sufferers by the conflagration of Charlestown. Dr. Thompson's father was one. After a handsome collation, we walked to the town hall, where a great crowd of citizens had assembled. Dr. Thompson announced me to them, and said he should proceed to introduce each of

them individually to me. The hall was, however, so full that this was impracticable. A few near me were introduced, and then the Doctor observed that he should dispense with any further personal introductions. We proceeded then, through a heavy shower of rain, to the meeting-house, where an opening prayer was made by Mr. Fay, a eulogy upon John Adams and Thomas Jefferson was delivered by Mr. Edward Everett, and a concluding prayer by Dr. Walker, with occasional anthems and dirges. We returned to Dr. Thompson's to coffee, where his lady, and about forty others, were introduced to me. Governor Lincoln was present at these solemnities. I returned to Boston, and, after an hour at Mrs. S. A. Otis's, came to lodge at the Exchange. Found Dr. Huntt here. The Sheriff, C. P. Sumner, came to say the Governor would receive me to-morrow at the Council-chamber.

2d. Wrote a letter to my wife, to be sent by Dr. Huntt. At seven this morning two of the members of the Committee of Arrangements of the young men came to the hotel, and I went with them to the State-House, where I was received by Governor Lincoln at the Council-chamber. We passed thence into the Senate-chamber, where a small number of persons were introduced to me, and we walked in procession to the meeting in Chauncy Place, where a eulogy upon John Adams and Thomas Jefferson was delivered by Samuel L. Knapp, with opening and concluding prayers by Mr. Greenwood; a dirge and anthem were also performed by a small choir of singers. The procession was escorted to church by the company of City Guards, in which my son George is a Lieutenant. He was, however, not with them on this occasion, but with us. The services were completed about ten o'clock. I returned to the hotel, accompanied by Messrs. Loring and Sampson, two of the members of the Committee of Arrangements.

At eleven I went again to the Senate-chamber in the State-House, where the Governor and Lieutenant-Governor, Thomas L. Winthrop, with the Mayor and authorities of the city, were assembled, and when we went in procession to Faneuil Hall, and heard a eulogy upon John Adams and Thomas Jefferson by Mr. Daniel Webster. The prayers were performed by Mr.

Charles Lowell. There was a funeral symphony, anthem, and dirge. The streets from the State-House to the hall were thronged with a greater concourse of people than I ever witnessed in Boston. The hall itself was crowded to the utmost of its capacity. Mr. Webster was about two hours and a half in delivering his discourse, during which attention held the whole assembly mute. He returned with us to the hotel, and thence to his own home. The Governor also paid me a visit, accompanied by his aides, Lieutenant-Colonels Josiah Quincy, Jr., and John B. Davis. He was to return this afternoon to Worcester, but said he would meet me next week, on Thursday, at Salem. I have received high though melancholy gratification from these performances, but found myself much, too much overcome with fatigue.

3d. A night of broken rest. We dined shortly after noon. Mrs. James H. Foster and her son William called, and he brought me a large bundle of letters and dispatches, which I had then barely time to open. I went with all the family to Colonel Minot Thayer's, at Braintree. There, after about two hundred citizens of the neighboring towns had been introduced to me, we went in procession to Mr. Perkins's meeting-house, where a eulogy was to be delivered upon John Adams and Thomas Jefferson by the Rev. Mr. Storrs, minister of the First Church in Braintree. The opening prayer was made by Mr. Perkins; the concluding prayer by Mr. Hitchcock, of Randolph. There was the anthem "Child of Mortality," and a dirge, written by Mrs. Fyfield, a lady of Weymouth, once Miss Bond. The eulogy of Mr. Storrs was professionally made a religious discourse—a sermon from Psalm lxxxii. 6 and 7: "I have said, Ye are gods; but ye shall die like men." Mr. Storrs disclaimed eulogy or panegyric, but bore a warm and affectionate testimony to my father's character. Among the persons introduced to me this afternoon at Colonel Thayer's was my cousin, John Adams, of Randolph, son of my father's brother Elihu. He said it was about fifty years since he had seen me. His son John was with him. About three years since, I went with my father to his house at Randolph to see him, but he was then absent.

10th. As has repeatedly happened during my present absence from the seat of government, a large mass of letters and dispatches came upon me just as I was about to leave home. I was obliged to abandon them for the moment and immediately after breakfast ride to Boston. I called at Mr. Stuart the painter's, but he was not at home. At the Exchange Hotel I found a carriage waiting, and several more letters and dispatches. We proceeded to Salem, and went directly to Mr. N. Silsbee's. Governor Lincoln soon after came in, with his aides, Colonels Quincy and Davis. A company of about twenty persons successively assembled, and after a collation, which was a dinner, the marshals of the day and several persons from the adjoining towns of Danvers, Beverly, Gloucester, and Marblehead were introduced to me, and a procession was formed on the square, whence we marched, escorted by a company of Salem Cadets, to the North Church. The ceremonies there were similar to those I had five times witnessed last week: an introductory prayer by Mr. Colman, a concluding prayer by Mr. Williams, a eulogy upon John Adams and Thomas Jefferson by Joseph E. Sprague, and the final benediction was pronounced by Dr. Prince. We then repaired to Mr. B. W. Crowninshield's and dined. Mr. Webster and Mr. Everett called with Judge Story at Mr. Crowninshield's, but did not remain to dine. In the evening I returned with Mr. Silsbee to his house, to pass the night.

11th. SALEM.—Governor Lincoln and his aides breakfasted with us at Mr. Silsbee's. I had previously been occupied with the letters and papers received yesterday morning at Boston, and which I had taken with me. After breakfast, about ten, we left Salem, and alighted at the Exchange Hotel in Boston, with rain scarcely intermitted all the way. I signed a batch of land-grants, and sixteen Virginia military warrants, received from the General Land Office, and wrote an answer to the resolution of a meeting of citizens held at Charleston, S.C., 27th of last month. Mr. Joseph Hall called, and sat with me till four, when I went with George and dined at Mr. Webster's. Governor Lincoln and a company of twenty other gentlemen were there. No ladies, except Mrs. Webster. Colonel T. H.

Perkins, just returned from England, was of the company. After dinner I had a private conversation with the Governor, in which I urged him, should the health of Mr. Mills, which is said to be very bad, induce him to decline a re-election, to accept from the Legislature an election, which I believed they would offer him, to a seat in the Senate of the United States.

He said he had just before leaving Worcester seen Mr. Mills, whose health was improving; but with regard to the proposition that he should go to the Senate, spoke doubtfully; observed he had a family to educate; that his present situation was liable to the sudden and unforeseen changes of popular sentiment; spoke of the opposition started against him at his last election; of the religious dissensions fermenting in the State, and of a prevailing inclination in his mind to relinquish public life and return to the practice of the law.

I replied that, if that was his intention, a seat in the Senate would be an easy and honorable descent from the chair to the bar, which hitherto no Governor of Massachusetts had made; that in my wish to see him in the Senate I looked to a period beyond that of my own continuance in the public service—to a field more extensive for the exercise of his talents than any one State could afford—to the future character and influence of New England in the Union. He said he was duly sensible to the confidence I had manifested in him by this conversation, and would give it full and deliberate consideration. After he retired, I remained, and passed a pleasant evening at Mr. Webster's. The rain prevented my returning, as I had intended, this night to Quincy.

13th. QUINCY.—Heard Mr. Bowes Whitney, of Hingham, this morning, from Proverbs xv. 3: "The eyes of the Lord are in every place, beholding the evil and the good." And in the afternoon from Proverbs xxx. 8, 9: "Remove far from me vanity and lies: give me neither poverty nor riches; feed me with food convenient for me: lest I be full, and deny thee, and say, Who is the Lord? or lest I be poor, and steal, and take the name of my God in vain." It rained almost without interruption the whole day. There were at meeting less than forty persons in the morning, without a female or a singer; in

the afternoon about fifty—one woman, and singers enough to make discord. I invited Mr. Whitney home to dine with us, and took him to Mr. Peter Whitney's when the afternoon services were closed. Mr. Bowes Whitney is an intelligent man and a sensible preacher, but has not much conversation. He told me, however, some anecdotes; and, among the rest, one of my father's cousin, Zabdiel Adams, minister of Lunenburg, who, at the time when my father was President, complained to Mr. Whitney's father that he himself had not made the law his profession instead of preaching. "For," said he, "why should not I have been President of the United States as well as my cousin John?" The law might have carried Mr. Zabdiel Adams to Congress—perhaps to the Senate of the United States; for he was a man of good talents, and in this country the law is the natural profession of men aspiring to political distinction. But in the notices which I have collected from the town records, from the few papers of the preceding ages which have come to my hands, from Mather's Magnalia and Hutchinson's History, and, lastly, from the Catalogue of Harvard College, I cannot overlook the difference of fortune in life between those of my kindred who were educated at Cambridge, and those deprived of that advantage. My father's uncle, Joseph, was graduated at Harvard, and became an eminent minister at Newington, New Hampshire. If my grandfather himself had received the same education, he would have been distinguished either as a clergyman or as a lawyer.

> "But Knowledge to his eyes her ample page,
> Rich with the spoils of time, did ne'er unroll."

And the summit of his political distinction was the office of a Selectman of Braintree.

14th. The Governor of the State of Maine, Albion K. Parris, called upon me this morning to make enquiries respecting the present state of the negotiation with Great Britain concerning the boundary between that State and the British Province of New Brunswick. I told him that owing to the continued illness of Mr. Rufus King since his arrival in England, and his resignation, which has been accepted, no progress had been made

in the negotiation since it was left unfinished by Mr. Rush; but that Mr. Gallatin had received particular instructions on the subject, and had made himself fully master of it before he left this country; that I was expecting daily to hear of his arrival in England, where he would immediately apply to the British Government to resume the negotiation.

Mr. Parris spoke of the deep interest which his State had in the controversy; and although he expressed full confidence that the Government of the United States would consent to no stipulation injurious to the rights of the State, yet, he said, they were not without apprehensions that New York might be willing to purchase Rouse's Point at the expense of Maine.

He manifested a wish to be furnished with copies of the arguments of the Agents and reports of the Commissioners under the fifth article of the Treaty of Ghent, which we declined giving heretofore, from an apprehension that a premature disclosure of them might operate unfavorably upon the negotiation.

I told him that their great bulk was an obstacle to the furnishing of copies, but that they had been, and would still be, open to the inspection and perusal of the Representatives and Senators from Maine in Congress, and would be equally so to the Governor of the State, if present. He said he should retire from the Government of the State at the close of the present year, and gave me a cordial invitation to attend the Commencement at Bowdoin College, the first Wednesday in September; he also promised that if I would come, the visit should be as private and unceremonious as I could wish.

17th. A Colonel Beneski, who told me he was a native of France, born at Marseilles, but of a Polish father, came and delivered me a letter of introduction from John Williams, Chargé d'Affaires of the United States at Guatemala; and he also delivered me a verbal message from the President of the Republic of Central America. He afterwards came with Aaron H. Palmer, of New York, and they exhibited to me a contract made by Beneski, for and in behalf of A. H. Palmer and Company, with the Minister of the Treasury of Guatemala, and sanctioned by the Congress of that republic, for opening a

water communication through the lake of Nicaragua from the sea of the Antilles to the Pacific Ocean. To this contract Colonel Beneski and Mr. Palmer solicited the protection and patronage of the United States, which I assured them should be given, so far as my personal influence and constitutional power could assure it. Mr. Palmer said an Act of incorporation of the company would be indispensable, and a question was, whether it should be obtained from the Legislature of New York or from Congress.

I advised Mr. Palmer to consult with the Representatives and Senators from New York on the subject. I thought that Congress was the only proper authority to grant an Act of incorporation for objects thus interesting to the whole Union, and even to the whole world. But I told them Mr. Clay purposed returning to Washington at the close of this or the beginning of the next month, and advised them to address their future communications to the Department of State.

26th. Dr. Kirkland and Mr. Gray came as a committee from the Corporation of the University to request my attendance next Wednesday at Commencement; when they proposed to receive me in form, and the President to address me. I told him that I had just answered his obliging invitations for Wednesday and Thursday, and regretted that I was obliged to decline both, expecting to be engaged the whole of next week upon indispensable business; observing also that I had received invitations to attend at the Commencements of Bowdoin College, in Maine, and at Princeton, both of which I should decline. I thought a public reception at Cambridge now might be considered as a mark of partiality to my own Alma Mater, which, even if justifiable, might give some offence. Next year, or at some other time, I hoped, it would be more in my power to accept the proffered kindness of the Corporation.

In this he acquiesced. Mrs. Willard, my next visitant, is the keeper of a female seminary of education at Troy, in New York. About a week since I received a letter from her, urging the expediency that Congress should patronize an institution for female education, with a small pamphlet published by her, recommending the same subject to the Legislature of New

York. Mrs. Willard is a sensible and spirited woman, and I told her that her purpose of improving female education had my approbation and hearty good wishes; and with regard to any assistance from Congress, I was sorry she must expect nothing more. Congress, I was convinced, would now do nothing. They will do nothing for the education of boys, excepting to make soldiers. They will not endow a university. I hoped this disposition would change, but, while it continues, any application to Congress for female education must be fruitless.

Mrs. Willard thanked me for the frankness with which I had spoken, which, she said, she preferred to the delusive flattery with which her sex were usually treated; and, after some intelligent discourse on female education, took leave.

September 2d. At General Dearborn's. The company consisted of J. W. Taylor, Speaker of the House of Representatives, Sir Isaac Coffin, D. Webster, E. Everett, J. Bailey, Messrs. Melville and Tracy, of the custom-house in Boston, Harris, the Marshal, S. White and Colman, of Salem, Austin, Gerry, S. A. Wells, Mr. Pierce, minister of Brookline, Dr. Hill, Postmaster at Boston, and perhaps two or three more. Mrs. Dearborn was the only lady at table. Mr. Pierce spoke to me of the remains of my father's maternal family at Brookline—Boylstons and Whites—and of the ancient family estate in that town, which has gone into other hands.

Sir Isaac Coffin is an admiral in the British service, but a native of Boston, for which place he retains strong attachments. He spoke of his having once been upon a whaling voyage from Liverpool.

Mr. Taylor spoke to me after dinner upon politics, and the electioneering fermentation in the State of New York. He speaks with much bitterness of Mr. Clinton, who, he thinks, is intriguing to supplant the Administration, and who, he says, has taken unwearied pains to get up an opposition to his (Taylor's) re-election in his district. Taylor is, however, sanguine of his own re-election, and inclines to the opinion that Clinton will supplant no one, unless it should be himself. New York is, however, utterly uncertain, and my only course is to prepare for retirement, as I hope I am now doing.

3d. Meeting Mr. Thomas Greenleaf after this morning's service, I spoke to him about the building of the temple, to cover part of the expense of which, my father made a donation to the town. They have made no advances to it since the meeting of the trustees immediately after my arrival here. I told him I would write a letter to the trustees of the donation, stating to them my wishes with regard to the erection of the temple, and that a vault might be constructed in which the remains of my father and mother may be entombed, and a marble tablet, with a monumental inscription, placed upon one side of the wall of the edifice. I also told him that I should be glad to have some written agreement with the trustees or with the inhabitants of the town upon the subject.

He said if I would write, there might be called a meeting of the inhabitants of the town, who, he believed, would be willing to begin the building of the temple very shortly. I owe it to the memory of my father and mother not to forget or neglect this affair, and I pray that I may have perseverance and a spirit of devotion to it that it may be accomplished before I myself go hence to be here no more. And should Providence in its wisdom have decreed otherwise, I leave it in charge to my children, and exhort them to untiring industry and inflexible frugality, that, instead of squandering their means in extravagance and idleness, they may have to spare from their wants a tribute of reverence to their forefathers.

8th. I spoke to Mr. Whitney upon the subject of building the temple, and he mentioned again the expediency of having in it an apartment to receive the library given by my father to the town—which I approved. I informed Mr. Whitney also of my wish to join in communion with the church of which he is the pastor. I ought to have joined it thirty years ago and more, but the tumult of the world, false shame, a distrust of my own worthiness to partake of the communion, and a residence elsewhere, and continually changing, made me defer it to a more convenient opportunity. But my fathers for nearly two centuries have been members of this church. My purpose is, if my life should be spared till the end of my term of public service, to return and be gathered to my fathers here. It is

right that I should make a public profession of my faith and hope as a Christian, and no time can be better for it than now, immediately after the death of my father, and before my retirement from the public service and the worldly cares of life. Mr. Whitney told me the next communion day would be the first Sunday, which is the first day of next month; that it was usual for the minister to announce the intention of the communicant on the preceding Sunday, and that before administering the first communion he called upon the communicant for a profession of faith in Christianity, very short, and in general terms. He did this conforming to ancient usage, but he had exceedingly abridged the profession of faith from that used formerly by his predecessor, Mr. Wibird, and his own inclination was that it should be hereafter omitted altogether.

9th. I received a letter from De Witt Clinton, Governor of New York, with enclosures, complaining of an advertisement in the National Intelligencer for the sale of a colored man, whom they claim as a freeman and a citizen of New York. I enclosed all the papers to Mr. Clay, at Washington, with a request that he would act upon them as the laws would warrant.

13th. Elizabeth Robson, the female Quaker preacher, with two other women and two men, came upon their morning visit. Wistar and one of the women are from Philadelphia. The other woman came from England with Elizabeth, and Bassett is of Lynn. They are returning from a tour to Nantucket, and Elizabeth is now going to Montreal and Quebec. After the usual salutations, Elizabeth sat some time with her hand covering her face as in deep meditation, and then addressed me in a formal religious exhortation of about a quarter of an hour concerning the cares and duties of the ruler of a nation; but particularly upon the condition of the poor oppressed colored people in this country. After finishing her address, and a short pause, she rose from the sofa, turned, and kneeled before it, and made a short prayer to God in my behalf. A short time after she had finished, the woman from Philadelphia made also a formal brief address; but in general terms, and without reference to the slaves.

My wife and my brother, with his family, were present. We

heard them with respectful attention, and when they rose to withdraw, I thanked them for their exhortations and their prayers, observing that in the public trust with which I am charged I had great need of the prayers of all worthy persons, and as to what Elizabeth had said concerning the condition of the poor colored people in this country, I should lay it seriously to heart, and should act with a view to promote the glory of God and the best interests of this great people. They then took leave.

Day. The month, like the two preceding ones, has been chiefly devoted to the settlement of my father's estate. As the sun rises later, my hour of rising has dallied correspondingly, and I have passed several days in Boston, though not altogether idle. I have prepared, in great measure, for myself a place of retirement from March, 1829, for the remainder of my days; and when that day comes, if indulged with health and peace, I trust it will find me ready and willing to renounce the vain pomp and tumult of the world, and finish my life with an employment of time worthy of that which has engaged my youth and mature years.

October 1st. Mr. Fessenden, a tutor at Cambridge, preached for Mr. Whitney this morning, from Ephesians iv. 1: "I therefore, the prisoner of the Lord, beseech you that ye walk worthy of the vocation wherewith ye are called." Mr. Whitney himself administered the communion, of which I for the first time in my life partook. The form of admission to the church was simple. Before commencing the service, Mr. Whitney said that the persons who had expressed their wish to join in the communion might present themselves, upon which each of us rose in his or her place, and he reminded us of the engagements implied in the participation of this rite—a sincere belief in the divine mission of Christ, and a fixed purpose of living according to the rules of his gospel. He then proceeded with the solemnity, which was over in about half an hour.

5th. Messrs. Lloyd and Hall came for an afternoon visit. Lloyd profoundly alarmed for the Administration, at the probable consequences of a recent British Order in Council interdicting the trade between the United States and the British

Colonies, as he said, in both hemispheres, after the 1st of December next. It is a new trial through which we are to pass, and the issue of which is with higher powers. I made light of it with Lloyd, and said as the Georgia war was extinct, there must be something to stir the blood of the public, and it might as well be this as anything else.

6th. I left for the last time the dwelling-house of my father, in which he had chiefly resided for nearly forty years, and entirely for the last twenty-five. I left it with an anxious and consoling hope of returning to it as my own, probably within three short years, and of finding within the means and opportunity of employing the remnant of time allotted to me on earth, in exercises of filial reverence and affection, of usefulness to my children, of benevolence to the neighborhood of my own and my father's nativity, and of ultimate improvement to the condition of my country. To as much of this as may obtain the approbation of higher power, I implore the directing and effecting hand of Providence. For so much of it as may be destined to disappointment, I pray to be prepared and resigned.

13th. From Providence to Newport.

Heavy rain almost the whole night. We breakfasted with Mr. and Mrs. Payne, and, taking leave of them about nine A.M., proceeded by land to Newport. I had only one morning visitant at Providence—General Barton, an old Revolutionary officer. We came through Warren and Bristol, two miles south of which is a ferry. It blew a heavy gale, and we effected the passage of the ferry with some difficulty and danger. The ferrymen thought they could not manage the horse-boat, and came over for us with the sail-boat. To this my coachman, Timothy Divoll, was very unwilling to trust his horses. But there was no other alternative, and into the sail-boat they went. About the middle of the passage the waves ran high, the wind blew a tempest. The boat was tossed up till one of the horses lost his centre of gravity. His hind feet were tripped up, and he came down upon his hams. In his fright he recovered himself by a violent effort, and then reared up with a struggle to plunge over the side of the boat. Divoll, who held him by the bridle, had just strength enough to bring

him down again upon his feet, when his hind legs again gave way, and he recovered himself by a second violent struggle. Fortunately, the boat had in the mean time got over the middle of the river into smoother water, and we effected the passage without calamitous accident; but I had not for many months, perhaps for years, been in such imminent danger; and for our preservation from it I arrived with suitable impressions on the other shore; reflecting upon what a slender thread human life depends, and how incessantly it needs the guardian care of superior power. From Portsmouth, on the south side of the river, we came to Newport, over a beautiful and well-cultivated country, and alighted between three and four in the afternoon.

14th. To Fort Adams; revenue cutter Vigilant; John Cahoone. The gale continued all this morning, and the steamboat Fulton, which should have passed up yesterday afternoon from New York to Providence, made not her appearance. In her regular course, she should have left Providence at three this afternoon, returning to New York, and my arrangements were made for embarking in her, as she would touch at Newport about sunset. Disappointed in this expectation, I had a prospect of being detained two or three days; but the revenue cutter Vigilant was here, and her captain, Cahoone, and the Collector, Ellery, urged me to take passage in her, to which, from the necessity of the case, I assented.

15th. Passage down the Sound. Hell Gate.

"simul alba nautis
Stella refulsit.
Defluit saxis agitatus humor,
Concidunt venti, fugiuntque nubes;
Et minax (quòd sic voluere) ponto
Unda recumbit."

These admirable lines of Horace's Ode to Augustus, 12 of Book 1, are quoted with almost equal beauty in one of Burke's speeches. I was impressively reminded of them last evening as we sailed round Point Judith, and passed by Fisher's Island, and entered the Sound, almost without being sensible that we were afloat. The contrast between the tempest which the waves had threatened and the recumbent quiet of the deep we

are witnessing led me to reflections and hopes that I was willing to indulge, and suitable to the day.

On rising this morning, I found the vessel was off New Haven, sailing about seven miles an hour, with a very light but favorable breeze. The sun rose in splendor, and introduced one of our finest autumnal days. It continued until noon, soon after which we had reached the entrance of the East River, at Sands's Point. It then fell nearly calm. The tide turned against us, and it was eight in the evening when we came to the passage of Hell Gate. The captain sent on shore for a pilot, who came on board, but declined taking the vessel through the passage, and we anchored for the night. I was thus disappointed of my intention to reach New York this day, and have lost one day in the progress of my journey to Washington. But my companions are social, and the captain very obliging, and we have had good though simple fare, four times in the course of the day. The captain has also a few books, such as Josephus, Pope, Sterne, Burns, Helvetius on Man, the Laws of the United States, and Bowditch's Complete Navigator. I spent the day, therefore, without weariness, conversing occasionally with my fellow-passengers, observing the villages and steeples as we passed along the Connecticut and Long Island shores, and upon the East River, and the numerous coasting vessels sailing up and down the Sound, of which there were never less than twenty in sight, and skimming on the surface of Captain Cahoone's library. I passed from the wars of the Jews to Pope's Eloisa, and from Pope to the life of Burns, which at last riveted my attention, and I read how the ploughman bard was ruined and destroyed by his greatness—the wreck of his own fame; passing from the cottage to the tables and castles of the great and wealthy, and sinking from contented poverty into luxury, discontent, habitual drunkenness, and untimely death.

16th. Steamboat Linnæus, from Flushing; New York. There was rain in the night, and the wind this morning was against the cutter for proceeding to New York. The tide would not make in her favor for the passage through Hell Gate before ten o'clock, and there was no prospect of her reaching New York

before noon. Captain Cahoone therefore sent his boat, and afterwards went in her himself, to engage the steamboat Linnæus, from Flushing, to stop and take me on board. Half an hour after the boat was gone, the steamboat Fulton passed by us on her way to New York. She had been up to Providence, and returned from thence, since we passed her Saturday evening off Point Judith. Captain Bunker came on board the cutter, and invited me to go into the Fulton—which I declined, because, having sent to ask a passage in the Linnæus, I would not take the chance of disappointing her captain, should he, in consequence of my application, come out of his way to take me up. One of his passengers in the first instance objected to the delay of stopping for me, fearing to lose the chance of forwarding letters by the packet for Liverpool, which was to sail at ten. Captain Peck therefore refused to stay for me, and was proceeding on his way, when his passenger relented, and he came round for me. I took leave of Captain Cahoone with thanks, and went on board the Linnæus, with Messrs. Ellery, Collins, and Northam. We landed at New York about ten.

17th. v. From New York to Philadelphia.

Though I rose as the clock struck five, I barely succeeded to get on board the steamboat Thistle, Captain Jenkins, at the moment when she was about leaving the wharf. The passage to Philadelphia was divided into three equal parts of four hours each. Steamboat from New York to New Brunswick four hours, from six to ten; then carriage from Brunswick to Trenton, from ten till two; steamboat Trenton from two to six, when she arrived at Philadelphia. I found on board the steamboat Mr. Gibbs, of South Carolina, with his wife, a daughter of Mr. Oliver, of Baltimore, and his brother; a Captain Read, also of South Carolina, with his son, a beautiful boy in his eleventh year, but weighing one hundred and thirty-two pounds, a giant-like child. I took the whole carriage to Trenton, and they rode with me. We breakfasted in the first and dined in the second steamboat. Here also I met Captain Renshaw, of the navy, now commanding at the navy-yard in Philadelphia.

On landing at the wharf, there was a great crowd of people assembled, and among them were John Vaughan and Degrand.

There was also a coach and four horses at the wharf, sent by I know not whom to take me up, but I declined riding, and walked to the Mansion House. J. Sergeant, R. Peters, Junior, and C. C. Biddle came immediately after my arrival, and a number of other visitors in the course of the evening; among them was Mr. Hopkinson.

There was much talk of the result of the recent elections in New Jersey and Pennsylvania. In Jersey the tickets were avowedly Administration and Jackson tickets, the former of which has been successful beyond their most sanguine expectations, having throughout the State a majority of upwards of four thousand votes; the majority for the Jackson electors two years ago having been about one thousand. This change has been the most consoling and encouraging event that has yet occurred. They boasted of a similar change in Pennsylvania, but it is not manifested by the issue of the elections here. Sergeant himself was a candidate here, and lost the election by an equal vote, fifteen hundred and ninety-seven, with his principal competitor, Horn, a third federal candidate taking off several hundred of Sergeant's votes. There is positive loss in Pennsylvania; and those who call themselves the friends of the Administration have neither concert nor courage.

18th. VI. From Philadelphia to New Castle; Frenchtown; Baltimore. I wrote an hour this morning before breakfast, an achievement which, travelling in this country, I almost always might, but seldom do, accomplish. Sergeant and Binns came at eight. Sergeant immediately left us, and while I was breakfasting Mr. Binns gave me his opinions with regard to the expediency or necessity of removing the Collector of the port, Steele, and the Postmaster, Richard Bache; Steele being disabled by the state of his health from performing the duties of his office, and Bache disqualified by other reasons, and both unfriendly to the Administration.

I observed to Mr. Binns that the appointment and removal of Postmasters was dependent upon the Postmaster-General, and that having, after long deliberation and not without much hesitation, renominated last winter the Surveyor of the port, Glentworth, on whom the principal negligence was chargeable

which had occasioned the losses in the case of Edward Thomson's teas, it was now too late to remove the Collector upon that ground, and there would be some hardship in displacing him upon the score of his bodily infirmities alone.

Binns did not press the point relating to the Collector, but complained that all the subordinate appointments in the custom-house were of persons hostile to the Administration, and said he had transmitted to the Postmaster-General a formal complaint against the Postmaster. He showed me a letter from himself to Mr. Markley, written last May, and which Markley did not receive till late in August, which he attributed to malversation in the post-office; and he declared that letters to and from him were frequently treated in the same manner, or worse.

19th. From Baltimore to Washington. Wirt's eulogy. We came down the Delaware River yesterday against wind and tide, and Captain Whelden, from indulgence to a crowd of people who pressed into the boat for a sight, left the wharf nearly half an hour after his time. It was thus past five when we reached New Castle, past eight when we came to Frenchtown, and half-past three this morning when we landed at Baltimore. In the boat from Philadelphia I met, besides Captain Wadsworth, an acquaintance in Mr. Bradford, the printer (who named to me Miss Sprugel, of Salem, New Jersey), but among the passengers from Frenchtown there was not one known to me—an incident which I scarcely remember to have happened to me in a steamboat before. I found my son Charles with my carriage and horses at Baltimore; and, stopping at Barnum's new and splendid inn only time enough for Pomphrey, the coachman, to bring up the carriage, just after the clock struck five we departed, and without stopping to breakfast, but barely watering at Merrill's and at Ross's, arrived at Washington a few minutes before eleven. Within the entrance of the city I was met by Mr. Ringgold, the Marshal, who informed me that the procession, which had formed in front of the President's house, was already on its way to the Capitol; but said that if I wished to go home and take some refreshment, the performances could be delayed until I could return.

I preferred going immediately to the Capitol. I found Mr.

Wirt there, and a numerous assemblage of ladies. The foreign Ministers all soon afterwards came in. The city procession arrived about noon. Messrs. Clay, Rush, Barbour, and Southard, the Postmaster-General, McLean, Generals Brown, Scott, Macomb, Jessup, Commodores Bainbridge and Morris, and the other principal officers of the Government, civil and military, were there. The Chaplains of the last Congress, Dr. Stoughton and Mr. Post, occupied the Speaker's chair. Mr. Wirt spoke from the seat of the Clerk of the House. There was a dirge of instrumental music, but no introductory prayer. Mr. Wirt's discourse chained attention for two hours and a half, with apparent universal approbation. I gave him my special thanks immediately after the dismission of the meeting by Dr. Stoughton. I had sent my carriage and horses home, and took a seat with Mr. Rush in his carriage, accompanied by Mr. Richard Bland Lee, who told me that he had been charged by the Corporation, with Commodore Tingey, to attend me this day. The Commodore was confined to his house by indisposition. We were escorted by Captain Randolph's troop of horse, and they left me at my own door at three P.M.

20th. VI. WASHINGTON.—Rain.

[Fifteen names.] After a night of sound repose, I rose this morning entirely refreshed and well—rose to the cares and trials, anxieties and dangers, which surround the station assigned me, and from which I have been for about a hundred days partially released. As my day shall be, so may be my strength for action in the performance of duty, and for submission to the will of Heaven. The visitors of this day came chiefly to welcome my return. The Secretaries of State, the Treasury, and War, spoke of business in general terms. Mr. Barbour, after consultation with Mr. Clay, had written, about ten days since, to Mr. Monroe, enquiring if he would accept an appointment as Minister to the Congress of American nations, transferred from Panama to Mexico. He had received no answer, and now proposed that he and Mr. Southard should go on Sunday to Mr. Monroe's, in Loudoun, and converse with him upon the proposal—to which I readily agreed.

Mr. Clay mentioned also the dispatches received from Mr.

Gallatin, showing a very unpleasant state of our negotiations with Great Britain; and a letter from General P. B. Porter, at New York, indicating the prospect of a difference between him and the British Commissioner, Barclay, under the seventh article of the Treaty of Ghent. I had seen General Porter and the Agent Delafield at New York, and had received from them the same information. General Scott and the other officers who came with him are assembled as a Board of Officers, at the invitation of the Secretary of War, to report upon a system of cavalry tactics and artillery instruction.

21st. IV. 30. [Fourteen names.] Rain almost without intermission the whole day. It confined me to the house, but did not interrupt the stream of visitors, the reception of whom forms the occupation of four-fifths of my time, and renders long-continued attention to any subject of business, public or private, utterly impracticable.

Armistead and Bronson came with letters of recommendation, and soliciting commissions in the Marine Corps. Montano was professedly a wandering Spanish exile, a soldier of Mina's, asking charity, but without voucher to his pretension. Mr. Marcy, Comptroller of the State of New York, is here, to accomplish, if he can, the sale to the United States of the fortifications in New York harbor, erected at the expense of the State. Mr. Hammond was charged last winter with this negotiation, which was, however, not concluded.

Mr. Clay spoke of the negotiations with Great Britain, which are in ill and threatening condition. I had read the recent dispatches from Mr. Gallatin. The British Government have assumed the new ground of refusing to negotiate upon the subject of the Colonial trade. They have also made a proposal to compromise the Slave Indemnity question, by giving two hundred and fifty thousand pounds sterling, which I desired Mr. Clay to authorize Mr. Gallatin to accept, after using all reasonable efforts to obtain more. I firmly believe we shall in no other way ultimately obtain anything. I agreed also that General P. B. Porter should be authorized to consent that the British Commissioner, Barclay, should refer to his Government an ultimatum offered by Porter to fix our Northwestern boundary.

Mr. Clay mentioned also an application from Baron Stackelberg, the Swedish Chargé d'Affaires, for an audience to deliver a letter from the King of Sweden announcing the birth of a son to his son, the Prince Royal. I advised that Baron Stackelberg should be requested to send the letter to the Department of State.

Mr. Southard called in the morning and again in the evening. He agreed to go with Governor Barbour to-morrow to visit Mr. Monroe and converse with him concerning the proposed mission. I wrote myself to Mr. Monroe.

22d. v. *Sunday.*—Governor Barbour and Mr. Southard called this morning, the former having received an answer from Mr. Monroe, declining the mission to the Congress of American nations on two grounds—the state of Mrs. Monroe's health, which he thinks will not admit of his leaving her, and the necessity of his remaining at home to retrieve, if possible, his private affairs. After some conversation, we concluded that Messrs. Barbour and Southard should, nevertheless, go and pay their visit to Mr. Monroe at Oakhill, so that my own letter might be delivered to him. Governor Barbour supposed that Mr. Monroe, upon being informed that no long absence would probably be required of him, might with less inconvenience leave his family; and with regard to his private affairs, he thought this mission would be an expedient for retrieving them. They accordingly left me to proceed forthwith.

23d. [Twenty-eight names.] This array of visitors absorbed the day from breakfast till dinner, and company the evening. Mr. Wertz came again to solicit his commission as a Justice of the Peace, which I told him would not be delivered to him unless the persons who had remonstrated against his appointment should be convinced they had done him wrong and withdrew their objections, particularly Mr. Coyle.

Dr. Lane is of Mobile, and has a claim for the maintenance of certain captured slaves, for which I referred him to the Secretary of the Navy.

Dr. Stoughton came to solicit in behalf of Edward Thomson for his release from prison.

Lee is a grandson of a sometime Governor of Maryland; applies for a commission in the Marine Corps, and brings a recommendation from Charles Carroll of Carrollton.

General Bernard told me that the Board of Engineers had this morning completed their report upon the Chesapeake and Ohio Canal. They think it practicable, but compute the cost at twenty-two millions of dollars.

Mr. Sergeant arrived from Philadelphia, and has an apartment with us. The Militia Legion passed in review before me, in front of the house; the volunteer companies looking well, but at least half the Legion without uniform or arms. Mr. Sergeant, Dr. Watkins, and Mr. Burnley dined with us. The latter is a member of the Council of the island of Trinidad, and brought me letters of introduction from Jeremy Bentham, to whom he was recommended by Mr. Hume, who is Burnley's brother-in-law.

24th. v. 30. Mr. Rind came to solicit my subscription to a newspaper which he proposes to establish at Georgetown; and Mr. Meyer for a scientific periodical publication in this city. By a long-established rule, the President never puts his name to subscriptions, and I refer all such applicants, who are numerous, to my son.

Colonel Tayloe, who has been these six or seven years an invalid, was so far convalescent as to pay me a morning visit; and to repeat the solicitation of an appointment as Secretary of Legation of his son, Edward Thornton Tayloe, now with Mr. Poinsett in Mexico, as his private Secretary. The Colonel spoke also of the Washington races, which are to commence to-morrow. But he has no horse to run.

Mr. Burnley came to take leave, being upon his return to the island of Trinidad; where, by the British interdiction of American vessels from the 1st of December next, he apprehends some difficulty in obtaining the means of arriving.

Mrs. Tuel came with a petition from her husband, confined in prison for assault and battery; but the petition was not sustained by a recommendation from either of the Judges, the District Attorney, or the Marshal. I took a walk of an hour trans Tiberim, before dinner. Mr. Sergeant dined abroad. Mr.

Southard called in the evening. Governor Barbour and he returned from Mr. Monroe's at Oakhill, part of the way yesterday; arrived here this morning. Mr. Monroe still declines going to the Congress at Tacubaya; but now solely on the ground of Mrs. Monroe's health. He is persuaded that if he should leave her she would die. Governor Barbour has been quite unwell while upon this excursion, and they returned in Mr. Monroe's carriage.

Less disturbed than usual with visitors, I was more occupied with formal and necessary, but wearisome official duties. Signed orders for the discharge of Margaret Williams and James Nowlan from prison, two hundred blank Mediterranean passports, one hundred and ninety-four Indianapolis land-patents, thirty-two military and forty-three militia commissions. I am returning to my customary routine of occupations, but have not yet entered upon the meditations which the important business of the approaching winter will require. The time for writing approaches, and I look forward with increasing anxiety to it.

25th. I had after breakfast a conversation with Mr. Sergeant concerning the mission to Tacubaya, and we agreed that the sloop of war Hornet, now at Norfolk, should be ordered immediately round to Philadelphia, and that he and Mr. Rochester should embark there about the 15th of next month. In consequence of Mr. Monroe's declining the appointment, I have concluded to postpone the consideration of a colleague to Sergeant until the meeting of Congress. Mr. Southard called in shortly afterwards, and said he would dispatch the order to the Hornet this day.

Pleasanton said there would be three or four keepers of light-houses to be appointed in the course of a few days.

Mr. Clay spoke of his correspondence with the Ministers of Great Britain and the Netherlands. Mr. Vaughan has made, by order of his Government, a proposition for a compromise of the difference between the Commissioners under the seventh article of the treaty of Ghent—P. B. Porter and Barclay. They complain also that General Porter declines applying a rule which would now operate in favor of Great Britain, which had been agreed upon, and applied in favor of the United States.

They propose to declare the channel now contested, common to both nations, upon condition that the channel at Bernhart's Island be declared so too. That was assigned to the United States upon the report of the Commissioners under the sixth article. Mr. Clay said he should reply to Mr. Vaughan that the complaint against General Porter would be communicated to him for his answer, and that the proposition for a compromise could scarcely be considered until it shall be ascertained that the Commissioners disagree.

The correspondence with the Dutch Minister is concerning a discriminating duty in the form of a bounty to their own ships, established by the Dutch Government, which forfeits the right of Dutch vessels to be admitted into our ports upon the same terms with our own, and would seem to require that the proclamation prescribed by the Act of Congress of 7th January, 1824, should be issued. But we thought it might be more prudent to recommend to Congress some modification of the Act. The races of this day relieved me from many visitors. The issue of the New Jersey and Ohio elections to Congress has been gratifying. It appears that all the friendly members have been re-elected in Ohio.

26th. Todson was a surgeon in the army, and some months since was cashiered by sentence of a Court-martial. But it was for an offence not very aggravated, and he complains that some, if not all the officers of the Court had motives of personal enmity against him, by which their decision was influenced. He had made repeated applications to me before I last left the city, to be reinstated; but the power was doubtful, and the complaint against the Court-martial could not be admitted without proof. He now said he had sent documents to the War Department, upon which he wished for a decision.

Major Vandeventer brought me two more records of Courts-martial upon officers in the army, with sentences of dismission.

Hamilton brought an old claim of his, rejected by the Secretary of War, but which he requested me to revise.

I called before dinner at Governor Barbour's house, where he is confined to his bed with a high fever. He was unwell before he went last Sunday for Oakhill. He rode thither,

nevertheless, on horseback, but was extremely ill that night, and obliged to return to the city the succeeding day in Mr. Monroe's carriage. Dr. Lovell, whom I met there, said he was now a little better.

I had company to dine—Messrs. Clay; Rush; Southard; McLean, P.M.G.; Anderson and Cutts, Comptrollers; Graham; Johnston and his brother; Bouligny and his son; J. Sergeant; Generals Brown, Cadwalader, Daniels, Jessup, Macomb, and Scott; Commodores Bainbridge and Morris; Colonels Cutler, Eustis, Henderson, Jones, Roberdeau, and Taylor; General Marcy, the Comptroller of the State of New York, Major Nourse, and Lieutenants Tone and Vinton. Governor Barbour, Mr. Wirt, Generals Bernard and Sumner, Colonel Gibson, Mr. Aikin, and Mr. Burnley were invited, but could not come. I spoke to Mr. McLean of the complaints against R. Bache, the Postmaster at Philadelphia; but he said there was nothing proved against him upon which the removal of him could be justified.

27th. This was the third day of the races, and Mrs. Adams was so far recovered as to go upon the ground. It was a beautiful autumnal day. I walked an hour before dinner, and called at Governor Barbour's house to enquire how he was, and heard from a servant that he was better. But on returning home I found that Mr. Clay had called while I was out. To avoid interruptions of business I must resume my practice of the last winter, and take my exercise for the day in a morning's walk of an hour before sunrise. I have not yet seriously commenced upon the business of the winter, but it is before me, and must be speedily undertaken. Since my return here I have scarcely put pen to paper, except on this journal and to sign land-grants, patents, Mediterranean passports, and commissions. I this day signed of land-grants—forty-five Palestine, nineteen Delaware, fifteen Crawfordsville, fifteen Huntsville, ten Shawneetown, twelve St. Stephens, nine Tallahassee, eight Kaskaskia, and one Virginia Military.

I began also the perusal of the proceedings of the Court-martial in the case of Lieutenant Constantine Smith. The papers are voluminous, and were sent to me at Quincy from the

Navy Department. I attempted to read them there, but could not accomplish the task. I found, indeed, that there were questions of principle involved in the trial upon which I should choose not to decide without consultation with the Secretary of the Navy. I could not get through the papers this evening.

28th. Last day of the races. Rainy. I resumed the practice of walking before breakfast, and passing all the remainder of the day at home. Mr. Clay spoke of various subjects relating to our foreign affairs. Mr. Ironside brought over the proclamation of the treaty with Guatemala, the ratifications of which were exchanged there, and which have been just received. Those of the treaty with Denmark have also been received, and the proclamation issued the 14th inst., a few days before my return home, the ratifications having been exchanged at Copenhagen. I desired Mr. Clay to make a minute of the subjects which would require notice in the annual message to Congress, connected with the Department of State.

He spoke of the strong representations by which I have been urged to remove the principal custom-house officers at Philadelphia and at Charleston, S.C. They are no doubt hostile to the Administration, and the Collectors use all the influence of their offices against us by the appointment of subordinate officers of the same stamp against us. They allege, therefore, that the friends of the Administration have to contend not only against their enemies, but against the Administration itself, which leaves its power in the hands of its own enemies, to be wielded against its friends. There is no doubt some justice in these allegations, but no positive act of hostility is proved against the Collectors. Steele, at Philadelphia, from the state of his health, has for more than a year been unable to perform his duty. Swift, the Surveyor at New York, is under indictment for a conspiracy to cheat, and the jury were discharged as not being able to agree upon their verdict, eight of them being for conviction and four for acquittal. I think it best to wait some time longer before making any removals, and I see yet no reason sufficient to justify a departure from the principle with which I entered upon the Administration, of removing no public officer for merely preferring another candidate for the

Presidency. I finished this day the reading of the proceedings of the Court-martial upon Lieutenant Constantine Smith, of the Marine Corps, and was not satisfied with them. I passed too much of the day in reading, and not enough in writing.

30th. This is my father's birthday, and the sonnet here enclosed is the meditation of my morning's walk. I record it thus that it may be legible only to myself, or to a reader who will take the trouble to pick it out of the short-hand. If it were better poetry I would have written it at full length.

> Day of my father's birth, I hail thee yet.
> What though his body moulders in the grave,
> Yet shall not Death th' immortal soul enslave;
> The sun is not extinct—his orb has set.
> And where on earth's wide ball shall man be met,
> While time shall run, but from thy spirit brave
> Shall learn to grasp the boon his Maker gave,
> And spurn the terror of a tyrant's threat?
> Who but shall learn that freedom is the prize
> Man still is bound to rescue or maintain;
> That nature's God commands the slave to rise,
> And on the oppressor's head to break his chain.
> Roll, years of promise, rapidly roll round,
> Till not a slave shall on this earth be found!

Mr. Clay mentioned several dispatches received from Mr. Gallatin, with a provoking note from G. Canning. Mr. Clay had prepared an instruction to Mr. Gallatin, referring to a proposition expected from the British Government, upon which I suggested to him some modification of his draft. The proposition is one of their new school of liberality, seemingly fair, but operating altogether in their favor. I thought it better, without absolutely rejecting it, to meet it with a proposition of more enlarged liberality and real reciprocity.

Mr. Clay brought me the letter from the King of Sweden announcing the birth of his grandson, which Baron Stackelberg finally sent to the Department of State.

31st. Mr. Southard had the proof-sheets to correct of Mr. Wirt's obituary notice, as Wirt himself styles it, of T. Jefferson and J. Adams. I advised the change of the title to that of a discourse. And I also advised a note at the passage which seems to glance in censure at Webster's conjectural introduc-

tion of speeches for and against the Declaration of Independence. I returned to Mr. Southard the proceedings of the Court-martial upon the trial of Lieutenant Constantine Smith, with my draft of a decision, requesting him, if he concurred with me in the principle, to mark any passage where he should think alterations proper.

Day. I am resuming my habits of the last winter. Since my return, rising irregularly from four to seven; walking four miles, to return and see the sun rise from my northeastern window. Breakfast at nine, dine at five P.M., and in the intervals receive visitors, write letters or drafts of official papers, and read dispatches, proceedings of Courts-martial, and newspapers till ten in the evening, when I retire to bed.

November 1st. IV. 45. Walk round Capitol Square. Sun rose VI. 50.

Colonel Stone is editor of a newspaper at New York, and came as a visitor with Mr. Gales of the National Intelligencer. Governor Kent was also a visitor, and dined with us.

Commodore Barron came with Mr. Lee. He told me that the Lieutenant Barron who lost his life by the bursting of a gun on board the Boston frigate in March, 1778, was his uncle. He said Captain Tucker had told him that Lieutenant Barron died because, after the amputation of his leg, the motion of swinging in his cot brought on a fatal fever; and he said this had induced him to invent a machine to regulate the movement of a cot on board ship for invalids.

Mr. Brent brought a letter from Maitland, Kennedy and Maitland, of New York, to Mr. Laird, of Georgetown, enquiring for an answer to certain applications some days since addressed to me, soliciting for James L. Kennedy an appointment as Consul at the port of Mazatlan, in the province of Sinaloa, California, under the Government of Mexico. I found the papers, after some search, and desired Mr. Brent to make out and forward immediately a commission to Mr. Kennedy.

Mr. Hough came to recommend his brother for an appointment as Indian Agent in the place of Major O'Fallon, who, he says, has resigned, or intends to resign. I advised him to apply to the Department of War.

Mr. Clay spoke of the instructions to be given to Mr. Gallatin, and of the notice to be taken of G. Canning's note upon the interdiction by Great Britain of our trade with her West India Colonies.

I said that as soon as Governor Barbour and Mr. Rush would be able to attend, I should wish a consultation with the members of the Administration, to determine what course it would be proper to take upon this new turn of British policy, in which revenge appears to be the predominant ingredient. I observed to Mr. Clay that as this note not only refused to negotiate upon the subject, but declared a determination to adhere to the interdiction even if the United States would now agree to remove all discriminating duties, there was no alternative left us but resistance or submission; that my own sentiment was in favor of resistance, but that the choice must be left to Congress, where it would occasion violent debate, and where it was to be expected the opposition would take side against us. It would be necessary to communicate to Congress all the correspondence relating to this Colonial trade for some years back, and I wished him to direct the making of the copies at the Department of State immediately, including the part of the instructions to Mr. Gallatin relating to this subject.

2d. Mr. Clay called to introduce Mr. Cooley, appointed Chargé d'Affaires to Peru, and who is in search of an opportunity of conveyance to his post. The Postmaster-General sent me, some days since, a letter from a man living in the neighborhood of West Point, complaining of a series of grievances in sundry alleged arbitrary acts of Colonel Thayer, Superintendent of the Military Academy, especially in forbidding him to go to the post-office on the Point. He represents Thayer's treatment of him as altogether arbitrary and oppressive.

I advised Mr. McLean inofficially to send a copy of this letter to Colonel Thayer, apprising him that this course was taken in preference to a direct official call through the Department of War, and said I had no doubt Thayer's answer would present the subject in a light altogether different.

He said Thayer and the officers at West Point had raised

some pretension of appointing the Postmaster there themselves, which was quite inadmissible, and that Thayer was now under a prosecution for false imprisonment, at the suit of this man whom he had prohibited from coming to the Point, and whose name is Cole. He also showed me a new letter from J. Binns to him, repeating his complaints against R. Bache, Postmaster at Philadelphia, for disgraceful and outrageously indecent conduct at Cape May, and also for the delay of a letter written by him to Mr. Markley in May, and not received till August. Mr. McLean said there should be a strict enquiry into the latter charge; but the other was for private misbehavior, over which it would be difficult to exercise official control.

I asked Mr. McLean to prepare a statement of the affairs and condition of the Post Office Department, to be used in the annual message to Congress; which he promised.

4th. Mr. Southard came to converse with me upon various subjects of current business in the Department of the Navy, such as the appointment of two lieutenants in the Marine Corps, a purser for a schooner now bound to sea, and two or three midshipmen. He afterwards sent me a commission, which I signed, of second lieutenant of marines, for Thomas Lee, grandson to a former Governor of Maryland, recommended among others by Charles Carroll of Carrollton, the last surviving signer of the Declaration of Independence.

He had several candidates for the appointment of purser, between whom he was somewhat embarrassed to make a selection; strong suspicions of improper conduct having lately arisen against the person whom he would otherwise have preferred—suspicions of his having himself written an anonymous letter which he showed as having been received by him. Mr. Southard said he was desirous of having a purser even in the smallest vessel, the duties of that office being otherwise necessarily performed by the captain, which placed him in a double relation to the men, detrimental to discipline. He said further that there were several applications for midshipmen's warrants in behalf of cadets discharged from West Point; among which was one for a youth named Forsyth, a native of North Carolina,

son of an officer who had been killed in the public service, and now in process of education at the charge of the State. He was last year reported for dismission, but retained at the earnest interposition of the delegation from the State. He must now be dismissed for incapacity, but with testimonials altogether favorable to his character, temper, and conduct. The Governor of North Carolina, and General Daniels, now here, are urgently soliciting for him a midshipman's warrant. I said it sometimes happened that a youth incapable of making much proficiency in study was yet well suited to the business of active life, and particularly to that of a seaman. As there was positive evidence of this young man's good conduct, I would give him another chance of making himself useful, and try him as a midshipman. But the warrant should not be granted to other dismissed cadets of whose conduct there was no favorable report; as it would be degrading the whole corps of midshipmen to turn over to them all the refuse of West Point.

Mr. Southard said he was examining the proceedings of the Court-martial in the case of Lieutenant Constantine Smith, and thought he should be ready with his opinion next Monday.

Mr. Reynolds is a man who has been lecturing about the country in support of Captain John Cleves Symmes's theory, that the earth is a hollow sphere, open at the Poles. His lectures are said to have been well attended, and much approved as exhibitions of genius and of science. But the theory itself has been so much ridiculed, and is in truth so visionary, that Reynolds has now varied his purpose to the proposition of fitting out a voyage of circumnavigation to the Southern Ocean. He has obtained numerous signatures in Baltimore to a memorial to Congress for this object, which, he says, will otherwise be very powerfully supported. It will, however, have no support in Congress. That day will come, but not yet, nor in my time. May it be my fortune and my praise to accelerate its approach!

5th. VI. 45. *Sunday.*—Sun rose beclouded. Gloomy day, with little rain. Heard Mr. Little from Psalm cxix. 133: "Order my steps in thy word: and let not any iniquity have dominion over me." A desultory and impressive moral discourse; set-

ting forth by various illustrations the different modes by which iniquity may obtain dominion over us. Among his quotations from Scripture was that of the first seven verses of the fifth chapter of Isaiah—the song of the vineyard that brought forth wild grapes. In this instance, as in numberless others, I was struck with the careless inattention of my own mind when reading the Bible. I had read the chapter of Isaiah containing this parable I dare say fifty times, and it was altogether familiar to my memory; but I had never perceived a fiftieth part of its beauty and sublimity. The closing verse of the parable, especially, which points the moral of the allegory, speaks with irresistible energy: "For the vineyard of the Lord of hosts is the house of Israel, and the men of Judah his pleasant plant: and he looked for judgment, but behold oppression; for righteousness, but behold a cry." The parallel is pursued no further. He had said in the parable how the vineyard would be destroyed, and here, after declaring what the vineyard was, and what its fruits had been, he leaves the conclusion of ruin and destruction to the imagination of the reader. This art of selecting ideas to be presented, and of leading the mind to that which is not expressed, is among the greatest secrets of composition—to make the suppressed thoughts, like the statues of Brutus and Cassius at the funeral of Junia, most resplendent because they are not exhibited in the highest effort of skill.

After the service, I called upon Governor Barbour, who is yet confined to his chamber in an exceedingly debilitated state, but without fever. He says he has been five days without apparent change for better or worse. I had some conversation with him upon the British interdiction of our Colonial trade; upon the military Courts-martial on whose sentences I am to decide; and upon the various objects in the War Department to be touched upon in the annual message. He said all the reports from the subordinate branches of the Department were in preparation, and would be very shortly brought to me. He spoke also of the Board of Officers assembled here to prepare a system of cavalry tactics and of artillery instruction for the militia, under a resolution of Congress at their last session; and said their report was nearly ready. I next called upon

Mr. Rush, whose son died this day week, and who has not since left his house. I found him, however, composed, and he said he should go to the Treasury to-morrow. I mentioned also to him my wish for the statements of revenue and expenditure, necessary for the preparation of the annual message, which, he said, he had ordered to be made out, and he thought would be ready to-morrow. We had also much conversation upon the British Colonial interdiction, and the decided spirit of hostility to this country indicated by it, and by the British Minister, Canning's, note. He urged the necessity of exhibiting to the public all the previous correspondence upon this subject —which I told him I had determined should be done. He observed that he had seen the hand of Mr. Tazewell in some comments of the Southern papers charging the Government of the United States with failing to meet the liberal offers of Great Britain upon this subject; which, he said, was a great misrepresentation.

6th. The papers from the Treasury to be used for the preparation of the message are not yet quite ready. Mr. Clay had sent me two private letters from General P. B. Porter, concerning the seventh article of the Ghent Treaty, and his observations on the proposition of Mr. Vaughan's note; but there is yet an official letter from Porter relating to it, which I had not seen.

Mr. Clay, in speaking of New York, asked me if I had entire confidence in General Brown. I said, yes. He appeared to think that General Brown's attachment to De Witt Clinton might have some effect upon his conduct, and intimated that he had heard Brown had been made the channel of a communication from General Jackson to Clinton to secure his cooperation against the present Administration, on a conditional pledge, in the event of his own success, to make way for him at the end of four years.

I told Mr. Clay I did not believe this: it was likely enough that such whispers from electioneering subalterns may have reached Mr. Clinton's ears; but no pledge upon which he could place any reliance could be given by Jackson himself, and none by his pretended supporters, without displacing or abandoning

Calhoun. The condition of New York is indeed precarious, and her policy, like that of Clinton, is cold, cautious, and reserved. The next election yet depends upon the chapter of accidents; but behind that is a wise, unerring hand.

Mr. Degrand came and dined and spent the evening till ten o'clock with me, arguing profoundly to convince me of the expediency of appointing him Collector of the port of Philadelphia, or a director of the Bank of the United States. On veut être Napoléon—sinon Préfet—ou bien Gendarme. He has come all the way from Philadelphia for this.

8th. Mr. Clay called; he has prepared the draft of a reply to the offensive note of George Canning, and spoke with much confidence of the strength of the argument which would be with us in this controversy. He said he would send his draft this evening to Mr. Rush, to be forwarded to-morrow to Mr. Southard, that I might have it on Friday, and that it might be considered in Cabinet meeting on Saturday.

9th. Mr. Clay mentioned to me various subjects in the current business of the Department, among the rest the settlement of the late R. C. Anderson's accounts, and the question whether the outfit should be allowed, he having died on his way to the place of meeting.

I had no doubt it should, and thought the funeral expenses also should be allowed; but desired him to refer to the vouchers in the Department to ascertain if they were allowed on the settlement of Mr. Rodney's accounts.

Dr. Lane came with a claim of thirty-two thousand dollars, assigned to him by a man named Hanes, once Marshal of Alabama, for maintaining *two years* the slaves of the infamous Constitution, Louisa, and Merino importation. I postponed my decision upon the claim, to examine the papers which were sent me this evening from the Navy Department.

10th. VI. 15. Round Capitol Square in one hour. Sun rose at seven, while I was out.

I made a race round the Capitol Square, by way of experiment to ascertain in how short a time I could perform it, and was exactly one hour by the clock on my mantel-piece.

Dr. Lane came for my decision upon his claim. It appeared

by the report of the Secretary of the Navy that the negroes, for the maintenance of whom he claimed at the rate of forty cents a day per head for two years, were actually not in his custody one month, many of them not ten days. Mr. Southard had made out an account for the actual time, amounting to four hundred and twenty dollars. I told Lane I doubted whether I should direct the payment even of that. I said that the presentation of such a claim was a transaction the character of which I knew of no honest word to designate. The Court had decreed that the negroes should be placed in the custody of three persons authorized to employ them in work, to pay for their clothing and subsistence, and upon *condition* that they should cause no expense to any person; they were so delivered, received, and kept upon that condition, and this man charges thirty-two thousand dollars for keeping them two years; that is, as long as he had the office of Marshal, not having had them in his charge after the order of the Court a single day.

He said that Armstrong, the present Marshal, had been paid by my express direction for the same charge after he came into office, and that the Marshals of Georgia and Mississippi had been paid for keeping the same negroes. The payment of Armstrong's charge was by my order, upon a report of the Secretary of the Navy. But Armstrong had them actually in his charge by an order of the Court, which authorized him to employ them at moderate work to pay for their maintenance. Armstrong was allowed something additional, which the order of the Court did not prohibit, though if I had known of this order of the Court I should not have sanctioned the additional payment. That to Morel, the Marshal of Georgia, was made by direction of Mr. Monroe, much to my dissatisfaction, though, it being business of the Navy Department, I took little part in the affair. Of the payment to the Marshal of Mississippi I knew nothing.

Mr. Johnston, the Senator from Louisiana, came, and left with me a letter soliciting my interference for the institution of a tribunal to try the validity of land-titles in the purchased Territories. He had sent me a letter from Mr. Thomas H.

Benton, the Senator from Missouri, to him and Mr. Bouligny, the other Louisiana Senator, enclosing a memorial to me, from certain persons in Missouri, claiming my recommendation to Congress of measures for confirming land-grants which they complain they have not been able to obtain. Mr. Benton asks the aid of the Louisiana Senators to the memorial. Mr. Benton's movement is one of his electioneering engines for securing his own re-election as a Senator. He has also another motive in it, well suited to his character, which is more of the Cethegus class than any other man I know in this country.

Mr. Rush read me a letter he had received from Georgia concerning the culture of the silk-worm, and proposing bounties upon the manufacture of sewing-silk. I asked him to direct some further statements to be sent me from the Treasury for the preparation of the message, and suggested for his consideration the expediency of recommending again to Congress a loan of ten or fifteen millions at four and a half or five per cent., redeemable in 1829 and 1830, with which so much of the six per cents. now or at the end of this year becoming redeemable might be paid off. It would save one per cent. a year, or more, upon the whole of the amount of the loan.

Mr. Rush hesitated upon this measure, because it had been recommended last winter and was not adopted by Congress. But it was then very doubtful whether the loan would succeed; there is now every probability that it would. If it had then been authorized it would have saved ninety thousand dollars to the public, even this year; and if it should fail again, the responsibility would rest not upon us, but upon Congress. We discussed the subject, till Mr. Rush considered it more favorably, and he will write to the president of the bank to ascertain if they would not undertake the whole or a part of the loan. Mr. Southard called early in the evening, and brought me Mr. Clay's draft of an instruction to Mr. Gallatin in reply to the note of George Canning on the British interdiction of our shipping in their Colonial ports. In reading this, and the defence of Lieutenant Alberti, and other papers relating to his trial, I was occupied till past eleven; and then, in writing a remission of the unexecuted part of the sentence of the Court-martial,

and of the suspension of his pay and emoluments, midnight approached before I retired to bed. I wrote nothing upon the draft of my message.

11th. A Cabinet meeting, attended by Messrs. Clay, Rush, and Southard, considered the draft of a letter of instruction to Mr. Gallatin, prepared by Mr. Clay, upon the British interdiction of our shipping in their West India Colonies. It is a thorough refutation of the false pretences and a keen retort upon the sarcastic insolence of Canning's note. There was not much discussion of it, and it was not read. There were in one or two passages concessions of a right in Great Britain to ordain this interdiction and to refuse negotiation concerning it. I thought they had better be omitted, the right of interdicting commerce being questionable when applied exclusively to one nation, and that of refusing negotiation scarcely being maintainable after a formal and positive promise to negotiate. I thought also there should be some enlargement of remark upon the discrimination made in British Acts of Parliament in their conditions upon the admission of shipping between nations having colonies and nations having none, the latter designation applying in its practical operation almost exclusively to the United States, and being only a covert mode of establishing regulations peculiarly adverse to them.

There was question whether a proclamation of retaliatory interdict of British shipping from the Colonies should not be issued under the Act of Congress of 1st March, 1823; but, as this measure cannot with propriety be taken until we *know* that the British interdict has taken effect, and it commences only from the 1st of December, we thought it best to refer the whole subject to Congress.

Mr. Clay's note said, among other things, that it would not be proper to communicate to the British Government the purport of Mr. Gallatin's instructions relating to the Colonial trade. Yet he proposed that they should be sent to Congress with the message. I asked whether this would not appear inconsistent. He said the question had occurred to himself, but he thought a direct communication of them to the British Government would seem like an entreaty to them to resume the negotiation,

though they had declared they will not negotiate. But with the message to Congress it will go only as information to our own countrymen, and if the British Government obtain it thus indirectly it will be without impropriety or debasement on our part. There were some nettles scattered through the note, which Mr. Clay pointed out for consideration. I said I wished them all to remain, for after flooring Mr. Canning upon his logic it was well to give him also some return for his gibes.

After this object of the meeting was gone through, mention was made by Mr. Rush of my proposal for recommending to Congress again a loan at four and a half or five per cent., redeemable in 1829 and 1830, to redeem the six per cent. stocks now or immediately becoming redeemable. Mr. Clay thought that the name of a loan would be liable to misrepresentation, as if it was to increase instead of diminishing the debt; but such a misrepresentation would be so easily refuted that it ought not to stand in the way of a measure of real economy. Mr. Rush will pursue the subject further.

Lieutenant Alberti called here this evening to urge an immediate decision in his case, as he was desirous of leaving the city on Monday. I told him I had the decision already prepared, and mentioned what it was. I said if he would call on Major Vandeventer, and ask him to come to me this evening or to-morrow morning, I would give him the remission and the papers, so that he (Alberti) need not be detained in the city over Monday. I also told him that it had not been my intention to reverse the decision upon the sentence of the Court-martial by General Scott, but merely to remit the unexecuted part of the penalty.

12th. VI. 30. Walk round House Square, eighteen minutes. Sun rose VII. 2. Sunday.

Major Vandeventer called this morning for the papers and remission of penalty in the case of Lieutenant Alberti, which I gave him. He said he would bring me to-morrow the reports and statements from the War Department necessary for the preparation of the message. General Scott had remitted one month of the suspension from rank, pay, and emoluments, which

the Court-martial had fixed for twelve months from the 10th of last February, the date of their sentence. He had offered to remit further the suspension from the 1st of this month. Lieutenant Alberti appealed both from the sentence of the Court-martial and from the decision of General Scott to the War Department, and it thus came to me. Without reversing either the sentence of the Court or the decision of General Scott, I remitted the remainder of the suspension from rank, and the whole suspension of pay and emoluments. The prosecution was malicious.

I heard Mr. Little this morning from Luke vii. 16: "And there came a fear on all: and they glorified God, saying, That a great prophet is risen up among us; and, That God hath visited his people." It was something between a discourse and a speech, in defence of the miracles recorded in the Scriptures, partly read from his notes and partly extemporaneous commentary. But this is not the manner in which *that* subject ought to be treated. The miracles of the New Testament appear to have been performed as evidence of the divine mission of Christ; faith was to be founded on the mighty works by which it was authenticated. But now the order of proof is reversed: it is the doctrine of the Scriptures alone that can obtain credence for the miracles. Mr. Little read several extracts from a Dudleian lecture of Mr. Channing's upon this subject, with great commendation. They were very ingenious and eloquent, but the drift of them was to prove that there is no reason for disbelieving the Scriptural accounts of miracles, or that the Creator should bind himself to exclusive operation by general laws. This is very true; but it does not meet the question, which is not upon the power of the Creator, but upon the fact of the miracles. The miracles in the Bible furnish the most powerful of all the objections against its authenticity, both historical and doctrinal; and were it possible to take its sublime morals, its unparalleled conceptions of the nature of God, and its irresistible power over the heart, with the simple narrative of the life and death of Jesus, stripped of all the supernatural agency and all the marvellous incidents connected with it, I should receive it without any of those misgivings of unwilling incredulity as

to the miracles, which I find it impossible altogether to cast off. Mr. Little had not respect enough for his text.

13th. General Brown, who has been some days quite unwell, paid me a visit on his recovery. He left with me the Albany Daily Advertiser, containing two essays of his writing, which had been published in the National Journal, 5th and 6th October, and which he had sent to Governor Clinton, requesting him to cause them to be reprinted there. These were a defence of the Administration for a certain distribution of the army, which has given some dissatisfaction in the Territory of Michigan and the western part of New York. The General referred also to the recent elections in New York, where Mr. Rochester has been set up as a candidate for Governor against De Witt Clinton. He was probably set up for the purpose of being beaten, and then for representing him as an Administration candidate, and his defeat as a defeat of the Administration. It was notoriously impossible that he should succeed against Clinton, and it looked more like a burlesque upon competition than like a serious adverse candidate.

General Brown thought it would be imputed to Mr. Clay, though, he said, he himself did not believe it. He speculated much, as usual, upon New York politics, and always as a friend to Clinton.

Mr. Clay came at one, with Mr. Stein Bille, Chargé d'Affaires from Denmark, who told me he was brother to the commander of the gun-boats, whom I had seen at Fleckerōe, in Norway, in September, 1809. This gentleman speaks English with much facility, and is a man of lively and pleasant conversation.

Mr. Clay afterwards returned, and spoke of his letter of instructions to Mr. Gallatin, which, he said, he proposed sending to-morrow. Colonel Jones, the Adjutant-General, brought me a letter from General Scott to General Brown, transmitting to him the proceedings of the Court-martial upon the trial of Lieutenant Harrison, and expressing his surprise that the Court should have recommended his restoration to the service; he being, in General Scott's opinion, altogether unworthy of it. Colonel Jones said he had not thought proper to transmit this ex parte paper to me with the papers, but he had thought it

should be communicated to me before the promulgation of my decision.

I told him I did not know what might have been its effect on my determination had I seen the paper before I had made the decision, but that it was now too late for any alteration. I thought some part of the testimony against Harrison had been disproved, but I had restored him reluctantly, and only at the recommendation of the Court.

16th. Mr. Clay brought a dispatch received from Mr. Gallatin, enclosing his answer to the note of G. Canning of the 11th of September last. Clay said he was very glad that a reply to that note had been already sent from hence, as he thought Mr. Gallatin's note had not made a case near so strong in our favor as his paper had. On reading Mr. Gallatin's note, I thought there was in it too much of concession and not quite enough of retort.

The dispatches from Mr. Middleton, brought by E. Wyer, had been sent to me early this morning. The Emperor Nicholas had postponed until he should be at Moscow the private audience to receive his credential letter, but Count Nesselrode, the Minister of Foreign Affairs, had informed Mr. Middleton that he might for the transaction of business consider himself as already fully accredited. Mr. Middleton had received the invitation to the Foreign Ambassadors and Ministers to attend the coronation, and, with Mr. C. Pinkney, had departed for Moscow the day before Wyer embarked.

I read to Mr. Clay that portion of the draft of the message which concerns our foreign relations, upon which he made some remarks. He said that Governor Barbour had intimated to him a wish that the draft of the message when prepared might be sent to the members of the Administration, to be considered by them without my being present; that the discussion might be more free than would be respectful in my presence. I said I saw no material objection to this.

17th. I desired Major Vandeventer to say to Mr. McKenney that I should be glad to see him. I asked him also to send a similar message to Lieutenant Phillips, from whom I had a few days since received a letter complaining of grievances from a

Court-martial, and requesting to see me. He soon came, and bitterly complained of having been ordered upon duties which, in his habitual ill health, he could not perform. He brought me several letters from respectable persons testifying to the respectability of his character; but he did not state to me what was the sentence of the Court-martial which he considered as a grievance. Nor had I seen it. He said it was now before General Brown for revision. The General himself came in while Phillips was with me. The Lieutenant called on me again, and I promised, when I should see the papers of his case, to consider of what he said.

General Brown was in great consternation at the news of the election in New York, where Mr. Clinton is re-chosen Governor, but by a majority of not more hundreds than he had of thousands at the last election two years since. It is somewhat amazing to me that a man having no more hold upon life than he should take such deep interest in mere election incidents. He said that the State of New York was in the hands of Martin Van Buren; that he would certainly be re-elected to the U. S. Senate; that Mr. Clinton would be at his mercy, and he did not know what the consequence would be. Mr. McKenney came with a letter from Mr. Thomas Mann Randolph, Sr., in answer to one from Governor Barbour offering him an appointment as Commissioner of the U. S. for running the boundary line between Georgia and Florida. He postpones his acceptance of the appointment to ask sundry questions, and for instructions.

I said it would be sufficient to give him general instructions, leaving all the details to be concerted with the Commissioners of the State of Georgia at his discretion. As the Act of Congress authorizes also the appointment of a Surveyor, I desired Mr. McKenney to enquire of Governor Barbour if he had fixed upon any person to recommend. I spoke also of the Choctaw school funds, and requested Mr. McKenney to send me the papers from the Department, which would show what had been already done upon the subject. He spoke of the school which has been established in Kentucky by their own determination, and which will require the application of the capital of the fund. The papers were afterwards sent to me.

H. Lee came to ask me to return some manuscript letters of General Washington which he had lent me, I believe, a year ago. I could not immediately recollect where they were, but promised to look them up and return them soon. I returned to him another bundle of letters, which the Postmaster-General had given me concerning Lee himself. Lee's reputation is bad with regard to private morals, and his political course is unprincipled; but he writes with great force and elegance, and Mr. Calhoun has used him for that purpose. Through Calhoun's influence, the Postmaster-General gave Lee some small office in that Department, where it is said he has used the advantages of the situation against the Administration, and to promote the purposes of his patron, while he has at the same time been constantly writing abusive pieces for the newspaper called the Telegraph, the Phœnix from the ashes of the Washington City Gazette. In the first half-year after I came into office I received a number of anonymous letters, apparently from various quarters of the Union, but, I believe, all written in this city, charging Lee with these things, and the Postmaster-General with being accessory to them. I spoke of them two or three times to Mr. McLean, who declared them calumnious as respected himself, and that he believed them so as regarded Mr. Lee. He also sent me these letters as recommendatory of Lee, among which was one from Mr. Jefferson, curious as containing some interesting remarks on the Declaration of Independence.

Lee now told me that he had withdrawn from that place in the post-office, which he had only taken because he had been solicited to accept it; that he should offer himself as a candidate for Congress in Virginia, and that he regretted I had been troubled on account of the place he had held in the post-office. He also recommended a son of one of his friends in Virginia for a midshipman's warrant, and asked me to give him my signature in writing, and, if I had them to spare, one of my father's and of Mr. Monroe's; which he wanted to send to a British officer whom he had lately met in Quebec, and who wished to obtain and preserve them as curiosities.

Mr. Clay called and took leave, proposing to go to-morrow

for New York. He does not view the election in the State of New York in the same light with General Brown; but the fact is that Governor Clinton has been re-elected by a small majority, but that there will be in both Houses of the Legislature majorities against him. Mr. Clay said he should probably stay not more than one day in New York.

18th. Mr. Southard came, and asked my opinion of a second letter which he had received from Mr. Berrien, the Georgia Senator, concerning the anonymous letter to Spafford. With it Mr. Berrien had enclosed a letter from Tennison the tavern-keeper and his son, and a certificate from a Major Denney, from which it appears that the anonymous letter had been concerted between them and *another*, dictated by Tennison the father, and written by the son. But the reason for writing it is very lamely accounted for; the artifice of sending it to Alexandria that it might come postmarked from that place, the mystery of describing under the denomination of *another* the fourth associate in the stratagem, and the acknowledgment of eavesdropping at the Navy Department, are all circumstances little adapted to remove suspicions that Spafford had some agency in the transaction, being at the time a boarder at Tennison's house. Mr. Berrien professes now to have no other interest in this matter than to justify his own recommendation of Spafford. I advised Mr. Southard to see Mr. Berrien and to explain to him in conversation the grounds of suspicion still existing, but with full assurance that not the remotest idea was entertained that he had knowledge of anything unfavorable to the character of Spafford when he recommended him. I mentioned to Mr. Southard H. Lee's recommendation of a youth named Brown for a midshipman's warrant. He said that he had been obliged to withstand Mr. Taliaferro's solicitations for the same person, and that now if he should yield to Lee's application, Lee would abuse the favor in two ways: first, by making a handle of it to detach the boy's father from the Administration, to which he is now friendly; and, secondly, to boast of it as a proof that he had influence to obtain here that which had been denied to Mr. Taliaferro.

I told Southard that Lee had informed me he should offer

himself as a candidate for Congress. Southard said he was glad of it, for it would be against Taliaferro, and would tend to insure his election. He said that Lee was under such obligations to Taliaferro that he was the last man in the world whom he ought to oppose, but he thought Lee's profligacy at least equal to his talents.

21st. I finished this evening the list of Acts and Resolutions of Congress upon the execution of which it may be proper to make some general remarks in the message. But the want of the usual reports from the Departments leaves me yet without the necessary information to make the observations which would be suitable. I also began making an index of all the reports which were made last year from the Departments, and upon which the message was then founded, to serve as a model for the present and two succeeding years. I was thus engaged till past eleven in the evening, but without advancing at all in my draft.

22d. IV. 45. Round Capitol Square, one hour five minutes. Sun rose VII. 12.

Mrs. Weeden was a solicitor for charity. She said she had rent to pay, and if she could not obtain money to pay it this day, her landlord threatened to distrain upon her furniture. Of such visitors I have many. Dr. Glendy, the Presbyterian clergyman of Baltimore, came to tell me that he wished for the appointment of Chaplain to one of the Houses of Congress at the approaching session, and would be glad to bespeak my influence in his favor. He has been several times Chaplain before. I told him I should be glad to serve him, but was unwilling to interpose against the present Chaplain of the House, Mr. Post. The Doctor said Mr. Post was not popular with the members, but was continued from year to year only because his congregation here were too poor to support him.

The Doctor told me also much of his own private and personal history. He is an emigrant from Ireland, but has been perhaps nearly thirty years residing in this country.

General Brown came to introduce Colonel McNeal, who has been commander of the Third Regiment of Infantry, and has

been stationed at Green Bay. He is now transferred to another regiment, and is going somewhere upon the Mississippi.

Mr. Barbour, the Secretary of War, brought me a budget of papers concerning affairs in his Department: the remaining minutes of a report from General Macomb, the Chief Engineer, of which the first part had already been furnished; voluminous papers concerning the case of Dr. Todson, an Assistant Surgeon in the army, cashiered by a sentence of a Court-martial, approved by me, but who claims to be restored on the ground that the Court-martial who tried him were hostile to him; papers relating to a Lieutenant Blaney, absent without leave, and who, Governor Barbour said, he believed ought to be dismissed from the service; also a letter from Lieutenant Alfred Beckley, complaining that I had reflected in very severe terms upon his motives for prosecuting Lieutenant Alberti, declaring his consciousness of correct motives in that transaction, and asking that I should recall in orders the censure passed upon him, or that a Court of Enquiry may be called, before which he may have an opportunity to vindicate the purity of his motives.

I mentioned to Governor Barbour the reports from the subordinate officers in the War Department which I wanted for the preparation of the message, and read to him the list of the Acts of Congress relating to fortifications, internal improvements, and Indian affairs, concerning the execution of which I should need information. Mr. Brent brought me a reply from the Dutch Minister, Bangeman Huygens, to a note from Mr. Clay relating to discriminating duties, and a letter from J. Sergeant announcing his early departure from Philadelphia for Mexico.

23d. Colonel Jones, Adjutant-General, brought me a letter from R. Bache, a lieutenant of artillery at West Point, who has been nearly two years claiming promotion by brevet, and who complains that he has received no answer from the War Department. I asked Colonel Jones to send me the proceedings of the Court-martial in the case of Lieutenant Alberti, necessary for reference in answering the demand of Lieutenant Beckley, his prosecutor. I gave Mr. Southard the memorandum which

he had brought me last week, concerning the condition and business of the Navy Department, to be referred to in the message, with minutes subjoined by me of various objects upon which I wished for further information. And I recommended that extracts from the recent dispatches of our naval commanders in the Pacific Ocean, upon the coast of Brazil, on the West India station, and in the Mediterranean, should be copied, to be communicated to Congress with the message. Mr. Southard promised me his report, and all the information requested by my minutes, in two or three days.

Dr. Glendy, General Brown, Colonel McNeal, Mr. Salomon, and Mr. Dix dined with us, and retired so soon after dinner that between two and three hours of the evening were left me for writing. But there is so much dissipation in a dinner with company that the labor of writing after it is doubly toilsome; and reading papers upon business is yet more unprofitable, if not impracticable. I am wading through another Court-martial volume of nearly two hundred pages, upon a Major Babcock, dismissed from the service and recommended by the same Court.

24th. General Brown came with a letter from his friend Ambrose Spencer, which he left with me. Mr. Spencer is the intimate and confidential friend both of De Witt Clinton and of General Brown. The letter speaks only in the name of the writer, but General Brown supposes it to have been written with the knowledge of Clinton, and considers it as indicating a determination of Mr. Clinton to support actively the Administration of the General Government. His conduct towards it hitherto has been of a cold, reserved neutrality, "willing to wound, and yet afraid to strike." Two years since, he was elected Governor of New York by a majority of upwards of sixteen thousand votes. This majority at the recent election has dwindled down to less than three thousand. It is said there is a majority in both Houses of the Legislature elected of his opponents. There is no prospect that the present Legislature will propose him as a candidate for the Presidency. Mr. Spencer's letter is equivalent to an intimation that the support of the General Administration will depend upon the

friends of Mr. Clinton in the House of Representatives from New York, and he recommends a conciliatory course towards them. A conciliatory course, so far as may be compatible with self-respect, is proper and necessary towards all; but in the protracted agony of character and reputation, which it is the will of Superior Power that I should pass through, it is my duty to link myself to the fortunes of no man. In the balance of politics, it is seldom wise to make one scale preponderate by weights taken from the other.

25th. General Brown called early this morning, and had a long conversation with me on the subject of his friend Spencer's letter. He said he considered it as a decisive proof that Mr. Clinton had rejected all coalition with Mr. Van Buren, and that he had determined to connect all his future prospects with a frank and cordial support of the Administration.

I said that my conduct towards Mr. Clinton had been invariably friendly. That his to me had been cold, distant, and reserved—sometimes not altogether fair, perhaps positively unfriendly. I should not vary my course towards him. His to me was before him, at his own option. As to the succession after me, I should observe as far as possible a neutral course, which was that pursued, as long and as far as he was able, by Mr. Monroe during his Administration. If Mr. Clinton's wish was to conciliate the friends of the present Administration, I presumed it would not be by arraying himself against it. If he depended for his future advancement upon its enemies, I thought little of his prospects of success. Without meeting the point which was obviously the object of the General's visit and of Mr. Spencer's letter, I passed in review the movements of personal parties during Mr. Monroe's Administration having reference to the succession—Mr. Crawford's, Mr. Clay's, Mr. Calhoun's, and those of their respective friends and partisans; the forced introduction of General Jackson, and his humble pretensions; with the effects of all these combinations upon the conduct and neutrality of Mr. Monroe. My purpose in this was, by showing the tenaciousness with which Mr. Monroe adhered to his neutral system, and the departures from it which circumstances forced upon him, to convince General Brown that neutrality as to

the succession was the proper policy of a President in office, although it might not always be possible for him to maintain it.

This is at once an overture and a menace on the part of Mr. Clinton. Spencer's letter says, Mr. Van Buren thinks there is in the New York delegation recently elected a majority against the Administration, and then adds, he must include among them the friends of Mr. Clinton. Now, I understand entirely the drift of this insinuation, and must abide as I may the issue of the marches and counter-marches of these worthies, leaving them altogether to themselves.

Mr. Scott, the member of the House of Representatives from Missouri, has just arrived to attend the approaching session of Congress. He reminded me that I had said I should refer to Congress the case of General Bissell, and said the General was desirous of being informed as soon as possible of the manner in which I should present it. I told him I should mention in the message, at the commencement of the session, that in consequence of a difference of opinion between the late President and the Senate upon the construction of the Act of Congress of March, 1821, reducing the army, it had remained unexecuted so far as concerned the appointment of one colonel, and that a supplementary or explanatory Act would be necessary to remove the difficulty.

Mr. Rush and Governor Barbour were here, both convalescent from severe bilious fevers. I read to them the parts of the draft of a message which I had written concerning the affairs of the Treasury, War, and Navy Departments, upon which Mr. Rush made some remarks. Governor Barbour brought me the reports from the Quartermaster-General, and from the Indian Office, and also two Indian treaties, to be laid before the Senate. He also read to me a paper which he had written for Gales and Seaton, to be inserted in the National Intelligencer as a communication, or under the editorial head, being a defence of certain passages of my last year's message, upon which a continual fire is kept up in the Richmond Enquirer. The Governor's intentions are kind and friendly, and a great part of his essay was very good. Some passages I thought might be improved, but I thought it best not to object to them.

27th. Mr. Rush and Mr. Wirt were here together, Mr. Wirt but recently returned from attending the Court at Annapolis. Mr. Rush had the papers of various matters depending at the Treasury Department; a package, voluminous, upon the claim of a man named Valverde for slaves taken in the Constitution, Louisa, and Merino, that inexhaustible source of frauds and impositions upon the public. He also read me a letter to C. J. Ingersoll, authorizing him to agree with the Nevinses for the delivery to them of the teas in question between them and the United States, on their giving ample security to satisfy the final judgment of the U. S. Court, and without requiring of them to deposit the proceeds of the sales in the bank; provided, also, that they will withdraw their suits against the Collector at Philadelphia.

Mr. Rush had also a letter from W. Lowrie, the Secretary of the Senate, making a requisition for twenty thousand dollars upon the appropriation for mileage and pay of the members of the Senate. The Comptroller, Anderson, scrupled the payment of this requisition, because there was no precedent of a payment on this account before the commencement of the session of Congress. Mr. Rush asked for my advice.

I said, the appropriation being once made, the requisition of the Secretary of the Senate, if he was authorized to draw at all, must be paid whenever he chose to draw, the Treasury officers having no authority to prescribe a time within which a draft should be made, whatever the usage may have been.

In the evening I had a visit from Mr. D. P. Cook, Representative from Illinois. He has been much out of health, and has lost his election for the next Congress. Among the causes of his failure is said to have been his resistance to projects for altering the system of the land laws, and for distributing all the lands in the Western country among the people there for little or nothing. Benton has been the first broacher of this system, and he relies upon it to support his popularity in the Western country. He made a proposal in the Senate last winter for this graduation of the prices of public lands, and supported it by a speech, the whole drift of which was to excite and encourage hopes among the Western people that they can extort the

lands from the Government for nothing. He printed an edition of this speech in a pamphlet, and Cook says he scattered copies of it all over the country as he went home; and now he is returning to Congress. Cook says that the minds of the people upon this subject are all debauched; that they say they must have the lands for nothing, and that the debt they owe for those they have bought must be spunged. He adds that Benton made himself amazingly popular by the resolution he offered for graduating and reducing the price of the lands, though his popularity has been somewhat shaken by a powerful exposure of him in the newspapers in the course of the summer. I have no doubt, however, that he will be re-elected. Cook himself has prepared three resolutions much to the same purport, but, I think, underbidding even upon Benton. Cook is too late to save himself; but the best days of our land-sales are past. We shall have trouble from that quarter.

28th. Dr. Todson came to enquire of my decision upon his case. I had sent it to the War Department. He was cashiered by sentence of a Court-martial for embezzlement of public stores. He claimed to be restored upon the allegation of gross partiality and oppression by the Court-martial against him. And he had produced a very ingenious and forcible argument of Colonel Thomas Randall in support of his allegations. I told him I had no power to restore him, unless by a new nomination to the Senate, and I could not make that without condemning unheard the Court-martial by whom he had been tried. I have seldom felt my compassion more moved for a man than for him; whom, though I cannot believe him innocent, I yet fear to have had hard measure dealt out to him.

At noon I rode up to the Capitol, and met Colonel Trumbull in the rotunda. His four pictures are placed, and in such a favorable light that they appear far better than they had ever done before. There are four other spaces to be filled with pictures of the same size, for which the Colonel is very desirous of being employed. He had therefore placed under them his small pictures of the deaths of Warren and Montgomery, and two others, bare sketches, one, of the death of Mercer at Princeton, and the fourth, another battle; and with them he had brought

two small pictures for churches, religious subjects, which, he said, he had painted this present year, and had taken here with him to show that he was not too old to paint yet.

A French workman in sculpture, engaged upon a bas-relief of Penn's Treaty, came and asked me to go up on his scaffolding and view his work; which I did. But all the bas-reliefs in the rotunda are execrably bad. I went up likewise within the scaffolding to the pediment, where Persico was at work. One of his three figures is nearly finished, and I think the design when completed will be good.

I met Mr. Varnum, the member of the House from Massachusetts. From the Capitol Mr. Bulfinch went with me to the spot where they are building the penitentiary, which I was pleased to find had the walls raised higher than the second row of windows. Leckie, the superintendent of the work, was there. After viewing this work, I took Mr. Bulfinch to his house, and then came home just at three. Governor Barbour came in immediately afterwards, and brought me his own report preparatory to the message, and also the rough sketch of the report to him of the Board of Army and Militia Officers whom he assembled here to prepare a system of artillery instruction and of cavalry tactics. Governor Barbour wished me to say something of their militia plan in the message. He promised to come at eleven to-morrow to hear the first reading of the message, and he renewed the suggestion which had been made by Mr. Clay, of a wish that the heads of Departments should examine it by themselves; to which I agreed.

29th. Cabinet meeting; at which I read the first draft of the annual message to Congress, upon which not much of observation was made. Mr. Wirt said he did not see what there was for the Richmond Enquirer to take hold of. The Richmond Enquirer will find or make enough. But there are several supplementary paragraphs yet to be added. I gave the draft to Governor Barbour, and it was agreed that the members of the Administration should meet at the War Department to-morrow morning, where they will examine the message among themselves, minute such passages as they may deem objectionable, and then come and discuss them with me. I have

consented to this mode of scrutinizing the message, because I wish to have the benefit of every objection that can be made by every member of the Administration. But it has never been practised heretofore, and I am not sure that it will be a safe precedent to follow. In England, where the speech or message is delivered by a person under no responsibility, it must be made by those who are responsible for its contents. But here, where he who delivers it is alone responsible, and those who advise have no responsibility at all, there may be some danger in placing the composition of it so much under the control of the Cabinet members, by giving it up to a discussion entirely among themselves.

30th. Dr. Huntt came, very seriously to put me on my guard against Dr. Todson, the Assistant Surgeon cashiered by sentence of a Court-martial for embezzlement of public stores; which sentence I have recently revised, and declined renominating him to the Senate. Huntt said he was credibly informed that Todson had determined to murder me for revenge, and that he had thought it necessary to inform me of this, to put me upon my guard. He at first intimated that the person who had given him this information desired not to be known; but afterwards told me it was Colonel Randall, Todson's counsel, who was fully convinced it was no idle threat of Todson's, but what he would attempt to execute. He said Randall himself would see me if I desired. I requested Huntt to say to Randall I should be glad to see him. I added that I knew not anything that I could do by way of precaution. Huntt said I should do well to refuse to receive him if he should come and ask to see me.

All the members of the Administration came about one o'clock, having discussed together the draft of the annual message, which they brought back, having marked several passages which they thought it would be expedient to strike out or to alter. I did accordingly strike out or alter them, with one exception of little importance. I had prepared and read an additional paragraph to accompany the report of the Board of Engineers upon the Chesapeake and Ohio Canal. At the close of this paragraph I had introduced a most earnest and emphatic recommendation of it to Congress.

Mr. Clay said that he entertained opinions upon that subject which he was almost afraid to express; he did, however, express them, and they were of the most decisive character against the whole project. He thought, notwithstanding the report of the Board of Engineers, that its practicability was doubtful. He believed that at all events its cost would rather exceed than fall short of the estimates of the Board—twenty-two millions of dollars; and when accomplished, he believed, it would be, comparatively speaking, of small utility. It would not divert the great mass of the trade of the Western country from New York and Philadelphia. It would be of very little service to this city, although the people here expected so much from it, and, with the exception of the small district of country closely bordering on the line through which the canal must pass, there was very little interest felt in it anywhere, and none at all in the Western country generally.

Governor Barbour coincided much with these views of Mr. Clay, and superadded to them a much stronger doubt of the practicability of the undertaking, founded upon an opinion expressed by Mr. Gallatin.

Mr. Rush contested these opinions, which are diametrically opposite to those urged with great force in the report of the Board of Engineers; from which I read several passages setting forth in lively colors the great importance of the work. Still inclining to the same belief, I concluded, however, as there was so much diversity of sentiment in the Cabinet, to leave the report of the Board of Engineers to stand upon its own strength, and struck out the whole recommendatory part of the paragraph.

Governor Barbour enquired if I had prepared a paragraph upon the report of the Board of Officers, proposing a new organization of the militia. I had not, and I said that upon examining the report I had not been altogether satisfied that the project proposed by the Board would be expedient, and still less that it would be approved in Congress. The part of it which provided for reducing the numbers and the term of militia service I thought good, and likely to prove acceptable; but the application of two or three hundred thousand dollars

a year for paying militia officers to receive instructions was, in my mind, of doubtful policy, and not likely to obtain favor in Congress.

Mr. Barbour said he had abstained from any recommendation of the plan of the Board himself, and did not wish for any in the message.

Mr. Clay spoke of the application by Mr. Johnston, of Louisiana, for a recommendation of measures for the settlement of land-titles in the purchased Territories, and said Mr. Scott, of Missouri, had some projects, about which he had conversed with him, but which he did not approve. It was near five when the members of the Administration withdrew.

Colonel Randall had called upon me, and confirmed the intimations given me before by Dr. Huntt. He said Todson had avowed to him his determination to assassinate me, and that he believed it was no idle menace; that the man was desperate, and, upon this subject, perfectly mad; that he fancied he should redeem his character by revenge; that he represented himself as the victim of a party combination against him, and that I had lent myself to it; that he considered his own innocence of the charges of which he was convicted by the Court-martial to be so clear and palpable that no impartial person could possibly doubt it, and that I had shown I had joined the conspiracy against him by refusing to give him Bishop Dubourg's letter to *me* in his favor. Randall said he was convinced Todson would make the attempt, for he was a man who would do more than he would say; that he had said everything in his power to dissuade him from his purpose, and had felt himself bound to give me this notice, lest possibly Todson might take the opportunity to perpetrate the deed in one of my morning walks.

I thanked Randall for his communication, and said that in Todson's case I had discharged a painful but an indispensable duty. I could not disapprove or reverse the decision of the Court-martial against him upon his mere allegation of their partiality. As to Bishop Dubourg's letter, it was addressed to me, and Todson had no right to ask me for it. But the simple truth was, that when he asked for it I could not find it; perhaps

it had been sent to the War Department; but it could not be necessary for Todson, for he had among his papers another letter from the Bishop to the same effect. I added that it was impossible for me to guard myself against the hand of an assassin, but I was, nevertheless, obliged to him for his information.

He said he should see Todson again this day, and would let me know if anything further should occur to require it. He said Todson declared to him that he did not intend to fly, but would take his revenge, thus redeem his character, and abide by the consequences.

Randall is a phrenologist, and with the utmost seriousness avowed that his apprehensions arose in part from Todson's having a most extraordinary organ of destructiveness. The tendency of this observation was to throw an aspect of ridicule upon the whole affair. But Randall is a man of great firmness and intrepidity, and has no motive in this disclosure but of friendly concern for me, and to relieve himself from all responsibility of being privy to the purpose of this desperate man without putting me upon my guard against him. I am in the hands of a higher Power.

Day. I rise irregularly from half-past four to half-past seven, but, with very few exceptions, between five and six. Walk round the Capitol Square, four and a half miles, returning in time to see the sun rise from my northeast window. Make my own fire, then my toilet, and read papers till nine. Breakfast from nine to ten. Receive the heads of Departments, and all visitors, from ten till five in the afternoon. Dine, and sit at table, or in Mrs. Adams's chamber, from five till seven; and then till eleven at night in my own chamber, writing the draft of the message, this diary, and letters. I have this month not been interrupted by evening visitors more than two or three times, nor detained by dinner company more than as often. The ensuing months will not be so much disengaged. The days of trial are coming again.

December 1st. [Nine names.] The members of Congress are now arriving in considerable numbers, for the session to commence next Monday. The nine whose names are in the

margin, from Gurley to Barber, were morning visitors recently arrived. Silsbee and Crowninshield both told me they had some English oak acorns for me, from Mr. Colman, of Salem.

Mr. Rush brought several rectified statements from the Treasury for the message, and he read me the draft of his annual report upon the finances, which he has nearly finished, and intends to send in to Congress before the close of the next week. It is a very clear exposition of the present state of the revenue, and proposes the loan of sixteen millions of dollars, at five per cent. interest, to redeem so much of the six per cents. now or shortly becoming redeemable, which I propose to recommend in the message.

Mr. Southard called to say that the number of frigates which we have disposable, with a few months' notice, is twenty. He had yesterday supposed it twenty-two, but had forgotten one burnt here on the stocks by the British in 1814, and another somehow disposed of.

Mr. Clay came with dispatches from Mr. Middleton, at Moscow, where he had attended at the coronation of the Emperor Nicholas, and had there received his audience to deliver his letter of credence. Mr. Clay had also a letter from Mr. Scott, the member from Missouri, proposing that the message should recommend a graduation of the price of public lands according to Mr. Benton's plan, and also an appropriation of the proceeds of the lead-mines by a grant to the State of Missouri. Mr. Clay said that Scott had told him that Benton's propositions had stimulated all the people of the Western country to madness for the public lands; but he added that this was true only of Missouri—that in Ohio the sentiments of the people were perfectly sound. He said he had told Mr. Scott that he could recommend none of his proposals, and that they were to be considered only as a revival of Burr's enterprise—treasonable in their character.

Governor Barbour came, anxious for the paragraph of the message concerning the report of the Board of Officers on the reorganization of the militia. I read to him a paragraph which I had prepared, with some remarks, pointing out some of the most striking defects of the present system.

He thought the simple paragraph stating the objects for which the Board of Officers was convened, and referring to their report, was the best. He said he was attacked in the Georgia newspapers as having assembled this Board of Officers without any authority whatever—he supposed it was his friend Forsyth.

This was a harassing day, as well with visitors as with business. Mr. Edward Everett called, and spent part of the evening with me, conversing upon various topics. He spoke of a letter from Mr. Jefferson to Mr. Van Buren, of several sheets, which he had seen, explanatory of his letter to Mazzei. It disclaims many of the inferences which were drawn from it at the time, and questions the right of the federal party to claim President Washington as having been of their side.[1] Everett said he thought he could obtain this letter for my perusal.

2d. I went out to walk this morning after sunrise, and, having a sprain on one foot, was an hour and a half walking round the Capitol Square. I met and spoke to Mr. Hayne, the Senator from South Carolina. And Mr. Clay overtook me near the Capitol. He walked round the Square with me, and left me at the central market. Mr. Rush called twice, with the final statements from the Treasury of the balances remaining there on the 1st of January last, and to be expected on the 1st of January next; and of the revenue for the present and next succeeding year. He brought me also a report, with several statements from the Commissioners of the General Land Office, to be communicated with the message to Congress. Mr. Rush spoke with great surprise of the views taken by Mr. Clay of the project for the Chesapeake and Ohio Canal, which were as surprising to him as they had been to me.

General Brown called to say that he had seen and conversed with Mr. Taylor, the Speaker, and found his dispositions were very good. The General seemed anxious to know what would be said, in the message, of the army; and I read to him the paragraph concerning it, with which he was well satisfied. Morning visits from fifteen members of the House of Repre-

[1] This letter is found in Washington's edition of the writings of Jefferson, vol. vii. p. 362.

sentatives, among whom J. W. Taylor, also three members of the Senate. Mr. Southard came with some information from the Navy Department; and Mr. Clay, to recommend the late Chancellor Kent for the appointment of Judge of the southern district of that State.

J. W. Taylor came and dined with me, and I had much conversation with him upon general politics; upon those of the State of New York; upon the circumstances of his own re-election; and upon the appointments to be made of District Judge and of Surveyor for the port of New York. Mr. Silas Wood came in the evening, with a recommendation numerously signed by respectable merchants of the city, recommending Mr. Kent for District Judge. But it is four or five years since he was disqualified by the Constitution of that State from holding any judicial office under it, by his age; and his politics have been objectionable to a great majority of the people.

4th. Nineteenth Congress, second session, commenced this day. Mr. Southard called twice, with his report at length prepared, and the papers to be communicated to Congress with it. The two Houses met, and the House of Representatives proceeded to business with about a hundred and seventy members; the Senate with about forty. The Vice-President, Calhoun, took the Chair of the Senate. They appointed the usual committee of two members of each House—S. Smith and Macon, of the Senate; Lathrop and Metcalf, of the House of Representatives—to notify the President that they were in session and ready to receive any communication from him. They came about two o'clock. General Smith spoke for the joint committee, and I answered him that I proposed to make to the two Houses a communication in writing at twelve o'clock tomorrow. They had adjourned even before the committee came. But there were not more than a half-dozen members called on me in the course of the day—probably on account of the weather. Among those who did come was Mr. McLane, of Delaware, for several late sessions of Congress, Chairman of the Committee of Ways and Means. He has been much out of health, but has recovered as the session of Congress drew near. Mr. Joseph M. White, the delegate from the Territory

of Florida, from whom I had received a letter urging me to recommend to Congress in the message his project for making a canal over the isthmus of Florida. I now told him that I had thought it best to leave to Congress the selection of the special objects of internal improvement for which appropriations may be necessary, and, after having fully expressed myself with regard to the general principles, to wait till called upon in the discharge of my own duty to give my sanction to every particular undertaking which may be proposed; and I assured them that the Florida canal was one of those which I should most readily sustain. Mr. Sands came to recommend the appointment of the late Chancellor Kent as U. S. District Judge for the southern district of New York. I was engaged great part of the evening in revising the two copies of the message, to be sent to-morrow morning to the two Houses of Congress.

5th. [Twenty-four names in the margin.] Mrs. West is the sister of a man named Hare, who in 1818 was convicted at Baltimore of robbing the mail, and sentenced to ten years' imprisonment. His brother was capitally convicted for the same crime, and executed. This man has repeatedly petitioned to be released, and now his sister came with a recommendation signed by many respectable persons, recommending that the remaining time of his imprisonment might be remitted. It is difficult to resist the solicitation of a woman, particularly for mercy to her brother. I told her that I would reflect upon the subject, and, if I could find it consistent with my own sense of duty, would comply with the petition; but that the case was of such a nature that I could not give her encouragement to expect this result.

Governor Barbour came in soon after, and, in consulting him, I found him more disposed to relenting than I could be myself. Mail-robbery is one of those offences the full punishment of which in this country ought perhaps never to be remitted, and the sentence of ten years' imprisonment was, in this case, itself a very mitigated penalty.

The annual message to both Houses of Congress was this day sent in, at twelve o'clock. They adjourned after reading it, and I had visits before dinner from four Senators and twelve

members of the House of Representatives. I received them in the parlor below, and in the intervals between their visits continued the perusal of the proceedings of the Court-martial upon the trial of Major Babcock. Mr. Southard came with Colonel Ogden, and introduced him. He is here again, as he was at the last session of Congress, as an agent for the officers of the Revolutionary War, claiming the justice or the munificence of the nation. He left with me a printed pamphlet stating the foundations of their claim, which he requested me to peruse.

6th. [Forty-three names in the margin.] The day was again devoted to the reception of visitors, of whom were the Vice-President, Calhoun, twelve Senators, and twenty-five members of the House of Representatives. Received them in the parlor, and whenever an interval occurred I employed it in reading the proceedings on Major Babcock's Court-martial. The visitors came one, two, or three at a time. Their names in the margin are ranged not in the order as they came, but the Senators and Representatives each alphabetically.

Mr. Lawrence is a member from Pennsylvania, and with him came eight members of the Chesapeake and Ohio Canal Convention, which assembled this day, to the number of near two hundred. This is an adjourned meeting of the body which met here in November, 1823; but their numbers are much enlarged.

Barney spoke to me of the petition of Hare, the mail-robber, to which he had signed a recommendation for his discharge. But he told me that there was a great prejudice against it in Baltimore, and if he should be released it was hoped it would be upon condition that he should leave the State.

Mr. Forrest came with the exequaturs to be signed for Velez, Consul-General, and also for four Vice-Consuls, of the republic of Colombia.

George Hill wrote me a note that he had a complaint to make against an officer of the Government, and, being a member of the Φ *B K* Society, he hoped I would hear him. When he came, I found his complaint was against Mr. George Graham, the Commissioner of the General Land Office. He has been, he says, these six years one of the clerks in that office, and has now been compelled to resign in consequence of ill treatment

from Mr. Graham. I asked him to specify his complaint. He said that some months since he had given an order or two, in anticipation of his salary, payable at the close of the last and the present month; that after having given those orders he had found it necessary to take the benefit of the Insolvent Act, whereby he had been discharged from his debts, and his anticipated orders became invalid, notwithstanding which Mr. Graham insisted upon deducting their amount from his salary.

I thought this a weak case of complaint upon his own statement; but he said Mr. Graham was very oppressive upon all his clerks, and was much hated by them all, as he had been before, when at the head of the War Department.

I told him that as to the deduction of his anticipated order upon his salary, it was a matter in which I could not interfere; but if he had any specific ground of complaint against Mr. Graham he must reduce it to writing, in which case I would have regular enquiry made into it.

Mr. Ringgold, the Marshal, came to ask if I should wish his attendance here at the drawing-rooms for the preservation of order among the coachmen and carriages in the yard, as has been usual. I desired that he would. He has lately lost his wife, and said he did not generally go into society, but that he would very readily attend here, considering it in the line of his duty. He did accordingly attend this evening, when Mrs. Adams held the first drawing-room for the season, a week earlier than usual, for the sake of the members of the Canal Convention, many of whom were here. The attendance was full, but not crowded.

7th. Morning visits from five Senators and eleven members of the House of Representatives. Mr. McAulay, who came with Governor Findlay, is a floor-cloth manufacturer in Philadelphia, and comes to solicit Congress for additional duties upon the importation of that article from abroad. Governor Kent is the President of the Canal Convention now sitting here, and came to introduce about twenty of them here. Mr. McKim came with eight or ten more. There were three or four other members of Congress whose names I did not ascertain. Major Vandeventer came twice, to ask from General Scott for a large

bundle of papers relating to the disputed question of rank between him and General Gaines. I have had them these eighteen months and more, and, not recollecting where they were filed, I was obliged to put off Major Vandeventer till to-morrow. Mr. Brent came to introduce Mr. Jamieson, who had letters recommendatory of himself for an appointment to office, signed, among others, by Charles Carroll of Carrollton.

Mr. Elgar, the Commissioner of Public Buildings, brought me a copy of a resolution of the Senate of 29th January, 1818, requesting that the President would annually cause a report to be made to Congress of the expenditures upon the public buildings and of the progress made towards completing them, and Mr. Elgar left with me two copies of such a report. In the evening I had visits successively from Mr. Pearce and Mr. Bailey. Pearce left home only last Saturday, and arrived here yesterday. Mr. Bailey spoke to me of the claim of General Hull's heirs or legal representatives for his salary as Governor of the Michigan Territory from the time of his arrest until his successor was appointed. Mr. Monroe, on the very last day of his Presidential term, allowed Hull's salary till the day of his arrest—I know not on what principle, for he had inflexibly refused for years before to make the allowance. I told Mr. Bailey that I did not think myself authorized to extend the allowance any further. He spoke to me also of some projects he is revolving in his mind for universal education. He is a well-meaning man, but one of the most inveterate visionaries I ever knew. I wrote very little this evening, and my diary now runs again in arrear day after day, till I shall lose irretrievably the chain of events, and then comes another chasm in the record of my life. The succession of visitors from my breakfasting to my dining hour, with their variety of objects and purposes, is inexpressibly distressing, and now that members of Congress come and absorb my evening hours, it induces a physical impossibility that I should keep up with the stream of time in my record. An hour's walk before daylight is my only exercise for the day. Then to dress and breakfast I have scarce an hour. Then five-and-twenty visitors, or more, from ten of the morning till five in the afternoon, leave me not a moment of leisure for reflection

or for writing. By the time evening approaches, my strength and spirits are both exhausted. Such has been the course of this day. Such will be that of how many more?

8th. Mr. Brent, of Louisiana, yesterday mentioned to me that Mr. Fulwar Skipwith, of Louisiana, had applied to Mr. McLean, the Postmaster-General, for the copy of a letter written by General Jackson, about two years since, to Mr. McLean against Skipwith. The post-office at New Orleans was vacant; Skipwith was a candidate for the appointment; and Jackson, being then a member of the Senate, wrote to McLean objecting against him, and charging Skipwith in substance with treachery at the time of the British attack upon New Orleans, Skipwith being then President of the Senate of the State. This letter prevented the appointment of Skipwith as Postmaster then. Last winter the office was vacant again; Skipwith was again a candidate; and Mr. McLean, who consulted me concerning the appointment, sent me this letter of General Jackson. I told McLean that with such a letter on the file Mr. Skipwith must be out of the question for the appointment. Brent says that Skipwith has been informed of the existence of this letter; that he is occupied in writing a narrative of the attack of the British upon New Orleans, and of all the transactions connected with that event. Mr. Brent intimated that the Postmaster-General thought it a matter of some delicacy to give the copy of such a paper, and might perhaps consult me concerning it. I said if Mr. McLean wished to consult me, I should be glad to see him. As to his giving a copy of the letter, I thought there were general rules at the Department which would apply to this case as well as to others. General Van Rensselaer advised against the appointment of Chancellor Kent as the District Judge in New York. Colonel R. M. Johnson, the Senator from Kentucky, has just arrived. He declared that the stories of his having been electioneering against the Administration were all slanders. The Colonel is disposed to keep upon good terms with all parties.

Mr. Cheves, Commissioner for Slave Indemnities, comes to attend a meeting of the Commission; at which nothing will be done, as nothing has been done for many months. Colonel

Tallmadge, one Senator, and eleven members of the House of Representatives came to pay morning visits. John Edwards is the man who obtained from Mr. Monroe the pardon of a man convicted of piracy, but of whose guilt there was great doubt. He now came to implore of me the pardon of a slave convicted of having, with others, mutinied on board of a ship, murdered the master and mate, and thrown them overboard. This man is sentenced to be executed this day week at New York, and Edwards solicits his pardon. I heard what he had to say, and told him I should consider it, and act as I should think my duty required. He considered the crime in this case as the mere natural impulse of the slave to recover his freedom.

9th. Bateman, Ephraim. Benton, Thomas H. Branch, John. Clayton, Thomas. Cobb, Thomas H. Dickerson, Mahlon. Kane, Elias K. Rodney, Daniel. Smith, William. Tazewell, L. W. White, Hugh L. Bartley, Mordecai. Bryan, John H. Burges, Tristam. Cocke, John. Condict, Lewis. Conner, Henry W. Davis, John. Dorsey, Clement. Eastman. Findlay, James. Govan, Andrew R. Harvey, Jonathan. Hasbrouck, A. B. Haynes. Healy. Henry. Hines. Holmes, Gabriel. Isaacs, J. C. Johnson, Francis. Johnson, Jeromus. Ingersoll, Ralph J. Letcher, Robert P. Martindale, H. C. Meech, Ezra. Mitchell, G. E. O'Brien, Jeremiah. Pearce, Dutee J. Polk, J. M. Swan, Samuel. Tucker, Ebenezer. Verplanck, G. C. Whipple, T. Wickliffe, Charles A.

Brown, General. Furst, Moritz. Sneed, of North Carolina. Ford. Finley, Thomas. McCulloch. Rush, Richard. Barbour, James. Clay, Henry. Southard, Samuel L.

Eleven Senators and thirty-three members of the House of Representatives, whose names I retained, called between breakfast and dining hours. There were five or six more whose names escaped my recollection. Their names are placed in the first column of the margin,[1] not in the order of their visits, as I usually practise in this diary, but alphabetically. The other visitors, who came mostly on business, stand in the second column, in the order in which they came, excepting the members of the Administration. General Brown, as usual, was

[1] For typographical convenience, the columns are printed as two paragraphs.

much occupied with New York politics and De Witt Clinton and Van Buren. He urges that Clinton and his friends will support the Administration of the General Government, and that Van Buren and his Bucktails will be inveterate in their opposition. I told General Brown that I considered it a lottery ticket how either of the parties would treat the general Administration. My conduct with reference to Governor Clinton had been frank, candid, and, I would say, generous. I had drawn upon myself by it the enmity of his opponents in New York, but without securing even neutrality, still less fairness, from him. General Brown fully admitted this, but hoped and believed Mr. Clinton would be wiser in future. Mr. Furst came again to solicit employment by the War and Navy Departments as a medallist, for which I referred him to the Departments themselves. I again asked him for his bill for ten silver medals of that which he struck to commemorate my inauguration as President, which he again promised me. Mr. Ford came with a letter soliciting the appointment of Marshal for the district of Maryland, in the event of Colonel Bentalou's decease, for Pinkney, a son of the late William Pinkney, of Baltimore, and now Collector of the Customs at Thompson's Island. Mr. Thomas Finley came upon the same pursuit for himself, with Mr. McCulloch. The members of the Administration came, each upon business of his own Department. Mr. Rush had his annual report on the finances prepared to send in to both Houses of Congress; but some of the returns of exports and imports have been considerably varied, even during the present week. The imports, which he had estimated at eighty-five millions, have fallen to seventy-eight. Governor Barbour mentioned to me the necessity of my coming to a decision upon the proceedings of the Court-martial upon the case of Lieutenant Phillips. I have not yet read through those on the case of Major Babcock. Mr. Clay told me that the Minister of the Netherlands, Mr. Huygens, was about sending his son as a messenger to Holland, probably to ask instructions concerning the views of the message upon the discriminating duties. He thinks Huygens will recommend a treaty to abolish all discriminating duties.

11th. [Thirty names in the margin.] The members of Congress were only morning visitors, excepting Mr. Verplanck, who brought a letter from several respectable persons in the city of New York, some of them clergymen, addressed to Cambreleng, Verplanck, and Jeromus Johnson, the three city members, requesting them to solicit of me a reprieve for a month of the colored man named Hill, sentenced to death for throwing overboard the captain and mate of a vessel in which they were bound from Baltimore to Charleston. This is the same case in which John Edwards applied to me for a pardon. The only reason assigned in the letter for asking the reprieve was the allegation that Judge Thompson had said the man had been convicted upon the testimony of a single witness.

I said to Mr. Verplanck that it was very painful to me to refuse an application for a reprieve for a man under sentence of death. But this was only a mode of preparing for a petition to pardon. I had made up my mind in this case not to grant a pardon. It was, in all its particulars, one of the most atrocious murders ever perpetrated. I could grant a pardon upon no other principle than that of formally determining that I would in no case whatever permit a capital execution during my Administration. This I did not feel myself justified in doing; but if I should grant a pardon or a reprieve in this case, my imagination could not form an idea of any other in which I could consistently refuse it. But, averse as I was to granting a reprieve, if he, with Mr. Cambreleng and Mr. Johnson, his colleagues, would write me a letter requesting it, I would, in deference to them, do that which I could not yield to the petitioners of the letter, who I had no doubt were respectable persons, but whom I did not know.

He left me, saying that he did not think they would write me the letter. The man is to be executed next Friday.

12th. T. Jefferson Randolph is the grandson of the deceased Ex-President, and had brought me last spring a letter of introduction from him. I asked him what had been the success of the lottery granted by the Legislature of Virginia last winter for the sale of his grandfather's estate.

He said it had totally failed; but that the contractors for the

lottery, Yates and McIntire, thought it might succeed if, by an Act of Congress, it could be connected with a city corporation lottery.

I asked if there were any constitutional difficulties in the way of such an arrangement.

He said yes; that the Virginia delegation had it now before them for consideration. He knew not how they would decide upon it.

I told him I should be happy to give him any assistance in my power and consistent with my duty.

General Scott came, and called for a decision upon the question of rank between General Gaines and him, complaining that injustice had been done him by the delay to decide the question; the answer to which was so exceedingly plain and easy that it was impossible any impartial and intelligent mind should hesitate concerning it. I said that if my view of it corresponded exactly with his, I should have given a decision at least eighteen months since.

He gave me a narrative of what had passed here upon this subject, to which he made various additions in consequence of suggestions from me of recollections from my examination of the papers in the summer of 1825.

I reminded him that the materials for a decision were so far from being, in my mind, so clear and indisputable as he thought them, that the Board of Officers assembled in the last days of Mr. Monroe's Administration for the express purpose of settling the dispute, after deciding against him (General Scott) upon one of his claims to outrank Gaines, had expressly declined to decide the question; the reason for which, I had understood, was that the members of the Court were so much divided in opinion upon it that the decision itself was believed not to be expedient.

He said their reason for not deciding it was a feeling of delicacy towards General Brown. He referred very emphatically to the letter written to him by Mr. Calhoun in 1822, informing him that President Monroe had determined, in the event of General Brown's inability to resume the command here at headquarters, to call him (Scott) here to take it.

I observed to him that this was a *private* letter, and that General Gaines had produced another and a subsequent letter from Mr. Calhoun to *him*, declaring that the President had *not* decided the question against him. I said, however, that I would again examine the papers, and would do what I should consider my duty to require in the case.

13th. Mr. Graham came, and said he had heard G. Hill had made an official complaint to me against him, wherefore he brought me Hill's letter to him resigning his office as a clerk in the Land Office. Hill had come to me yesterday and said he would prefer charges against Graham in writing. His complaint is, that after having given orders upon his salary in advance, he had taken the benefit of the Act of Insolvency, and that Graham, notwithstanding this, withheld his salary from him to pay it over upon his orders given prior to the declaration of his insolvency. His letter to Graham is intemperate and disrespectful, and his expedient to prevent the payment of his salary upon his orders was to resign his clerkship and then apply to me for another.

Dix came to take leave, and is going down to Fortress Monroe.

Mr. Holmes, the Senator from Maine, came to speak of his own prospects and views. He says that in the interval between the last and present session of Congress a number of his friends in Maine, who had been favorable to Mr. Crawford at the late Presidential election, had a meeting, at which three questions were presented to them: 1. Whether they should join in the opposition to the present Administration. 2. Whether they should maintain a neutrality; or 3. Whether they should give it a fair and efficient support. And that, after full discussion, they concluded upon the last.

I told him that I had heard with some surprise that his re-election would be opposed by the Governor of Maine, now retiring from office, Parris. He said Parris had not treated him fairly about it; that early in the summer he (Holmes) had enquired of Parris what his views were; that Parris then had encouraged him to expect his support, and declared that he would not be a candidate, though afterwards he had spoken

differently. He, nevertheless, thought his prospects good. He spoke also of the resolutions he had offered at the close of the last session of the Senate for adding to their rules. I told him that the difficulty in that case was, that the proposition for additional rules conceded that the power of repressing disorder did not exist. I believed that it did; that it was the duty of the presiding officer; and that the disorders of the last session were attributable to his flinching from his duty, and not from the want of rules of the Senate.

He said he had only proposed a committee to enquire, and he supposed such a committee could easily draw a line of distinction between what would be disorderly and what would not.

Colonel Little spent an hour of the evening with me, and explained to me his motives for wishing the appointment of Marshal for the district of Maryland. But he said, somewhat doubtingly, that he would withdraw his pretensions for the present, because he believed if he should vacate his seat in Congress, a person might be chosen in his place unfriendly to the Administration. He intimated a hope that before the termination of the next Congress, of which he is already elected a member, some Executive appointment might be conferred upon him. His real reason is, that he does not wish to take the chances of another election to Congress. Little is a respectable mechanic, of excellent private character, who has been a member of five or six successive Congresses, with an interval during the war, when he commanded a regiment of cavalry. He urged me, if I should not fix upon him, to nominate General Leakin, and dwelt much upon the unfavorable effect it would have upon the popularity of the Administration if a federalist should be appointed. He did not name Finley, but it was against him that his remarks were aimed. This is the only objection that can be urged against Finley, and Little intimated that this objection would be greater in Baltimore than perhaps in any other part of the Union. But it is powerful everywhere, and will be so for many years to come. And it is upon the occasion of appointments to office that all the wormwood and the gall of the old party hatred ooze out.

Not a vacancy to any office occurs but there is a distinguished federalist started and pushed home as a candidate to fill it—always well qualified, sometimes in an eminent degree, and yet so obnoxious to the Republican party that he cannot be appointed without exciting a vehement clamor against him and against the Administration. It becomes thus impossible to fill any appointment without offending one-half the community—the federalists, if their associate is overlooked; the Republicans, if he is preferred. To this disposition justice must sometimes make resistance and policy must often yield.

14th. Visits from a small number of members of Congress, and from two engineer officers, with Colonel Roberdeau. Mr. Reed, the Senator from Mississippi, spoke to me in a manner somewhat apolegetic of a speech which he made at a dinner given to him in his own State. He was explaining his motives for supporting the Administration by his votes in the Senate at the last session. He intimated that he was obliged to say that he preferred General Jackson for the Presidency, although that was not his real sentiment. He said he had great difficulty to sustain himself in the State, and had thought his chance of re-election desperate. He had now, however, a more favorable prospect.

I assured him that I had not the slightest resentment on account of that speech.

Mr. Rush had received a letter from Mr. Steele, the Collector at Philadelphia, tendering his resignation, to take effect from the last of this month. And now comes the usual struggle of competition for the appointment as his successor. Mr. Clay was urging with great force the necessity of supplying the place of General Swift as Surveyor of the port of New York, while he himself and George Sullivan are writing the most imploring letters for his re-appointment. He has lately been indicted at New York, and twice tried for a conspiracy to cheat. The jury on the first trial could not agree: eight for convicting and four for acquitting. Upon the second trial, he first obtained to be tried separately from three of his associates, who were convicted, and then the prosecutor suffered a verdict to go in his favor. There are numerous competitors for his office, and

there are other occurrences of questionable morality in his history. I suspend the determination upon his case.

I signed—1, an order for remission of a penalty for a slave taken from Ocracoke, N. C., to Key West, without his name in the manifest; 2, an order for remission of penalty on petition of Abraham Ballard & Co., for importation of two passengers (infants) more than are allowed by Act of 2d March, 1819, in ship Robert Fulton, Captain Britton, from Londonderry to New York; 3, an order to remit fines of William Huff, David Graeff, George Green, Thomas Hunter, James Scott, John Herbert, Charles Stewart, and Henry Tucker, for keeping gaming-tables, on payment made, or secured, of the costs, and on their giving security for their good behavior.

16th. Mr. Findlay, the Senator from Pennsylvania, came this morning, with Dr. George P. Todson, the man who was an Assistant Surgeon in the Army of the United States, was tried last winter by a Court-martial, and sentenced to be cashiered. Before I acted upon the sentence, powerful interest was exerted in behalf of Todson, in whose favor I received letters from Bishop Dubourg, of Louisiana, and from General Gaines. On examining, however, the proceedings of the Court-martial, I found no ground upon which I could either reverse the decision or remit the penalty. Governor Barbour, whom I consulted, was of the same opinion. I approved the sentence of the Court. Todson afterwards came, and solicited to be restored to the service; charged the members of the Court with gross partiality, and determined hostility against him—which I told him I could not take for granted upon his simple allegation. But, I said, if he could bring me proof either of partiality or hostility against him, indulged by the Court, I would nominate him to the Senate for re-appointment. He then applied to Colonel T. Randall as counsel, who drew up a very ingenious and able argument to prove partiality and hostility on the part of the Court, from a review of their proceedings, but without adducing a single additional fact, or producing a particle of testimony out of the record. I read attentively Randall's argument. I reviewed again the proceedings of the Court. There were some of their decisions which had an aspect of

harshness; some part of the charges which an indulgent disposition might have seen with eyes of mitigation, or of substance atonable by punishment milder than dismission from the service. Still, there was highly culpable matter proved and unexplained. I could still find no justifiable cause for reversing the sentence of the Court, or for renominating Todson to the Senate, and I sent to the Department of War a written decision to that effect. Shortly afterwards I received intimations from Dr. Huntt and from Colonel Randall that Todson had come to the most cool and inflexible determination to murder me. Randall informed me that he had disclosed this purpose to him; had reasoned with him upon it; that although he had treated the idea with horror, and urged the atrociousness of it, yet Todson had persisted in the avowal of the intention; had said it would be revenge, and that he would not fly from the consequences of the act to himself. Randall was impressed with the belief that the danger to me was imminent; that it was no idle threat, and that Todson, in a state of utter desperation, was a man who would do more than he would say. He advised me to intermit my morning walks; and Huntt advised me not to receive Todson if he should come to the house. This was the 20th of last month.

He now came and demanded that I should nominate him for re-appointment to the Senate, and said there had been several examples of officers dismissed by sentence of Courts-martial from the service and afterwards restored to their rank and commission by the President alone. Mr. Findlay said that he had been reading the proceedings of the Court-martial, and thought that, excepting the charge of his having challenged another officer to fight a duel, there was nothing which deserved so severe a punishment as dismission from the service. Without answering Findlay, I said, "Dr. Todson, whatever you have to say to me, I wish you to say in the presence of your counsel, Colonel Randall, and that you would come here with him."

He immediately left the room. I then said to Mr. Findlay that I had particular reasons for speaking as I had to Todson —reasons which he himself would understand, but which I could not with propriety disclose to *him*. He then withdrew,

and in the course of less than an hour Todson came back with Colonel Randall. He then renewed his demand that I would nominate him to the Senate for re-appointment, or for an appointment to some other office.

I said that if I could think it consistent with my duty to nominate him to any office, it would be that from which he had been removed, because that was an office in the line of his profession; but I had answered him on that subject more than once. There was no more painful duty within the compass of my service than that of confirming a sentence of dismission, and it had been peculiarly painful to me in his case. But, after the maturest consideration, I had deemed it to be my duty, and I had seen no ground upon which I could retract that decision. I had given it formally in writing to the Department of War. But, I added, Colonel Randall knew there were other reasons now which rendered it utterly impossible that I should contribute to restore Dr. Todson to the public service, and I had desired that he should be present at my answer to any such claim by the Doctor, because he knew those reasons. They did not in any manner change my determination; I should not renominate Dr. Todson even if they did not exist; but had my disposition been otherwise before, they would now foreclose all possibility of my ever doing anything for him. Colonel Randall said he should deeply regret the effect, if the notice he had thought it his duty to give me should deprive Dr. Todson of the benefit of anything I might otherwise do for him.

I said it had deprived him of nothing. I could have done nothing for him had this incident never occurred.

Colonel Randall said that he had most earnestly expostulated with Dr. Todson against the execution of his design, and that, on a conversation with him after the notice that he (Randall) had given me, he had understood from Dr. Todson that he had abandoned the intention, of which Randall had desired a common friend of ours to give me notice. He had therefore considered the previous intimations of Todson as the effects of an extraordinary momentary excitement, and that I might consider them as entirely given up by him, and might favor him accordingly.

I said I was perfectly willing to consider the threats of Dr. Todson as the effect of a momentary alienation of mind, for which he should not be held responsible; that I had said nothing of it to any person, and it was my reason for declining to converse with Mr. Findlay upon the subject when he had called with Dr. Todson. I had said nothing of it even to him; but I was not the less under a threat of assassination, and what must be the universal opinion of the world if, under such a threat, and when he who made it knew I was informed of it, I should, at his demand, nominate him to a public office! He might take the answer now once for all. I never would nominate him to any office whatever.

Todson himself neither denied nor disavowed the threat, but somewhat faintly said he had given up the idea upon being informed that I had expressed sentiments of compassion upon his case.

I said there could be no more painful duty to me to perform than that of dismissing an officer from the service. I had felt his case as a hard one, and had expressed myself accordingly. But I had no doubt of my duty, and had performed it.

He then asked me for assistance to pay his debt contracted here for board and to enable him to return to New Orleans; and his manner and deportment concerning his threat of assassination evidently intended to make the impression upon me that he would still execute the purpose if I did not either nominate him to office or furnish him with money.

Colonel Randall at length told him it was useless to press me further, and they withdrew together. Randall had reminded me of the murder of Mr. Percival by Bellingham; and those of Harley attempted by Guiscard, and of Villiers by Felton, occurred to my own reflections. Captain Angus, the summer before last, upon the failure of a similar application to be restored to the service after dismission by sentence of a Court-martial, had in like manner threatened the life of Mr. Southard. Desperate men are prepared for desperate deeds. My life is in the hands of a higher power than the will of man. While this incident forcibly brings to my consciousness the frail tenure upon which human life is held, may the Spirit of God sustain

and preserve me from any weakness resulting from it unworthy of my station!

John A. King, late Secretary to the Legation to Great Britain, arrived, bringing with him a Convention concluded on the 13th of last month by Mr. Gallatin, with the British Plenipotentiaries Huskisson and Addington, by which, if it please God, the long controversy respecting slaves carried away from this country in violation of the first stipulation of the Treaty of Ghent will be closed by a payment on the part of Great Britain of a sum a little exceeding twelve hundred thousand dollars, to be distributed by the American Government among the claimants. I receive this intelligence with the most fervent gratitude and joy. Mr. Clay came to speak of the arrangements to be made for sending the treaty to the Senate, for which, to avoid delay, many original papers must be sent.

J. A. King dined and spent the evening with me, and gave me information, as far as he was informed, of the general state of affairs in Europe. Mr. Gallatin is determined to return next May.

18th. Mr. Silsbee called to have some conversation with me respecting the measures to be taken in Congress at their present session relative to the trade with the British Colonies in America; it is, from the 1st of the present month, interdicted in our vessels by the British Government. Some countervailing measure is to be taken on our part, and there is an opinion prevailing among the members of Congress friendly to the Administration that this will be the subject upon which the opposition party will make their principal attack at this session. Mr. Silsbee had not read the documents communicated to Congress with the message, but wished to know what my views were of the measures to be taken.

I told him my own opinion was that there should be an Act of Congress totally interdicting the trade with all the Colonies, both in the West Indies and in North America; but that the same Act should provide for the re-opening of the trade upon terms of reciprocity whenever the British Government shall be disposed to assent to them; and if Congress think proper to accept the participation of the trade, even without entire reci-

procity, I wished them only to consider and determine how far they would be willing to concede advantages to British shipping to the detriment of our own. I would myself advise no concession, but I would acquiesce in any that Congress would sanction.

19th. Captain Partridge came with the detachment of his cadets at one o'clock. He first drew them up in front of the house, where they paid me a military salute, after which I sent my son John to him and invited them all into the house, where they were individually introduced to me and shook hands with me. Refreshments were handed to them, and the Captain intimated an expectation that I should address them in a speech —which I declined.

Messrs. Gales and Seaton, and Force, the editors of the National Intelligencer, and Journal, were here, probably with the same expectation; but on the part of Partridge it is a mere expedient of quackery to drum up recruits for his school, which is already quite as successful as it deserves. He has now nearly three hundred scholars at Middletown, many of whom are withdrawn from colleges and universities, to be drilled into soldiers, marched about the country laying the people under contributions of hospitality, and getting puffed by newspapers into fashion and popularity. It is well that the modes of education should be varied; that a competent number of surveyors, engineers, and military officers should be formed among the youth of the country; but I felt no inclination to extol the system of military education, nor to discountenance it by remarking how much more suited to usefulness and respectability in after-life is a college education than that of a military academy can possibly be. I therefore barely thanked them for their visit as they were going away, told them I should be glad to see them again occasionally while they should remain here, and that I wished them all prosperity and success in their studies and pursuits. Their visit was of about half an hour, and at their departure they were again drawn up and gave me a marching salute. They are very well drilled to the manual exercise and marching to time.

20th. Attended the Commencement at the Columbia Col-

lege; the performances of which my mind naturally contrasted with the exhibition yesterday of Captain Partridge's cadets. That was a show of bodily exercise, and this of the cultivation of the mind. My predilections continue strong in favor of the college. The performances, which were in Dr. Laurie's church, began at ten o'clock, and finished shortly before three in the afternoon. The first degree was conferred upon thirteen youths, ten of whom exhibited very creditable specimens of composition and of oratory. Among them were Edward P. and John Cranch, two sons of the Judge, my cousin. All the performances were in English, excepting the salutatory address, which was in Latin. John Cranch delivered a poem upon painting, for which he has a strong natural propensity. The most distinguished of the speakers was named James, of Virginia. The valedictory address of Dr. Stoughton consisted chiefly of an exhortation to early rising. The heads of Departments, excepting Mr. Southard, and several members of Congress were there, and I somewhat unexpectedly met there Mr. Samuel L. Knapp, of Boston. The house was well filled, but not crowded.

Mr. Clay and Mr. Rush afterwards called upon me, and Mr. Clay informed me that in sending this morning to the Senate the papers relative to the Slave Indemnity Convention, the Convention itself and the copy of it had both been accidentally omitted. Upon examining the papers upon his table, my son John found it was so.

21st. Mr. Bell, a Senator from New Hampshire, called to inform me of the omission to send yesterday the new Slave Indemnity Convention and the copy of it to the Senate. The other papers were laid on the table. Mr. Bell spoke also of the question concerning the trade with the British West India Colonies, which, he said, was to be the post of attack of the opposition at the present session.

I told him what were my views: that I thought the trade should be interdicted entirely, but that in prescribing the terms upon which we would re-open it, Congress might concede to what extent they pleased. I was willing to yield whatever the trade would bear.

He spoke of the extreme bitterness of Mr. Tazewell, the Senator from Virginia, and of his insinuations that the Act of Congress of 7th January, 1824, had been adopted by a finesse on my part, and without being understood by the Houses themselves, particularly the import of the term "elsewhere."

I told Mr. Bell that the committee of both Houses had been very explicitly informed of the full import of that term; that Mr. S. Canning had remonstrated against it, and that it had been advisedly adhered to after a Cabinet meeting and full deliberation concerning it.

Dr. Todson came, and asked me for money to pay for his lodgings here, and for the expense of his return to New Orleans. I told him that, whatever I might have done under other circumstances, he had rendered it impossible for me to afford him any relief. He must obtain it from others. I told him, once for all, I would do nothing for him, and I wished him not to come again to ask it of me. He asked me again for Bishop Dubourg's letter to me concerning him, and said it had been brought or delivered to me by Mr. Livingston. My son John then made another search for it, but could not find it. I told Todson that if I could have found it I would have given it to him; but that he had no right to it, inasmuch as it was addressed not to him, but to me, and that he could not want it, as he had himself, among the papers relating to the Court-martial, another letter from the same Bishop Dubourg, of the same import; which he admitted.

He said that the circumstance to which I had alluded (his threat to assassinate me) was absurd; and, besides, that he had harbored no such idea since he was informed I had kind feelings towards him. He represented himself as entirely destitute, having nothing to pay his debts here or to return home.

I told him I regretted his condition, but I could only repeat what I had already said to him more than once. He finally went away.

Mr. Clay spoke of the ensuing Presidential election, and intimated that some of his friends, Eastern and Western, had expressed a wish that he should be supported as the candidate for the Vice-Presidency. He said he thought the selection

ought to be made exclusively with reference to its influence upon the issue of the election of President; that for himself, he had no wish either to be a candidate for the Vice-Presidency or to withhold himself from it, if it should be thought useful to the cause that he should be run for that office.

I told him that I had hitherto heard very little said upon the subject; that if the failure of his health should render the duties of the Department of State too oppressive for his continuance in it, I should be satisfied if he should be transferred to the Vice-Presidency; but otherwise I should think it more advantageous both for the public and personally for him that he should continue in the far more arduous and important office of Secretary of State; which, in the event of his retiring from it, I should find it extremely difficult to fill. I said it was not my intention to compliment him, but I must say it would be no easy matter to supply his place in that Department.

He said he was entirely satisfied with it; that, without complimenting me, he would say that he had found every facility in transacting business under me; and he should be equally well pleased to continue in the Department of State or to pass to the Vice-Presidency, according as the general cause of the Administration might be promoted by either event. He said he had some time in the course of last summer mentioned to Governor Barbour his own disposition that the friends of the Administration might unite in supporting him (Barbour) for the next Vice-Presidency, and that he should be satisfied with that arrangement, but he believed it would be expedient to come to some definite understanding concerning it.

22d. The Secretary of the Senate came with a confirmation of several appointments, and a resolution calling for information respecting the removal of obstructions from the rivers Mississippi and Ohio.

Henry Lee came to ask again for the papers which he had lent me some months since, consisting of letters from General Washington to his father. I told him I had yet read only a small part of them, and wished much to read the rest.

He said he was now going to Alexandria, and if I would send them to him there as early as next Tuesday I might keep

them till then. He wished me to return them with a note and my signature in my own handwriting; and he renewed a request that I would furnish him with an autographic signature of my father's. I told him I was not sure I could readily find one, my father having scarcely written at all during the last years of his life, owing to the dimness of his sight.

Lee spoke of the new Slave Indemnity Convention, and said he had himself lost several slaves during the late war, taken by the British. He could not prove they were carried away after the peace, but he thought he ought to be indemnified for the loss of them.

In the evening I could not write; but read a great part of the letters from General Washington to Henry Lee, which I found deeply interesting. Lee was one of the most distinguished partisan officers of our Revolutionary War, though he rose no higher than to the rank of a colonel. But he was in great favor with Washington. From 1791 to 1793 he was Governor of Virginia, and commanded in chief the troops (militia) sent against the Pennsylvania insurgents in 1794. Afterwards Lee was a member of the U. S. House of Representatives, and in that character delivered, by appointment of the House, the funeral eulogy upon Washington.

23d. Mr. Southard spoke of the nominations which I sent a few days since to the Senate, of a District Judge for the southern district of New York, and a Marshal for the district of Maryland; both which were preceded by great excitement and have occasioned numerous disappointments. The District Judge in New Jersey has done the same, and there is now great difficulty with regard to the appointment of a Collector for the port of Philadelphia.

Southard told me he had been informed that General Houston, a member of the House of Representatives from Tennessee, had in his possession a letter from General Jackson to Southard, abusive upon him in Jackson's highest style of scurrility. But Houston had been advised by some of Jackson's friends here not to deliver it. So he retains it for the present, to consult his principal. The cause of this billet-doux was some observations made by Southard last summer at a dinner at Fred-

ericksburg, criticising Jackson's military movements at New Orleans, and commending Mr. Monroe's exertions in preparing and providing supplies for the defence of that place. These remarks, made in the social confidence of a convivial party, have been tale-borne to the hero, and produced upon him the effect of a scarlet blanket upon a tiger. He has written this letter in furore, and intrusted it open to General Houston to deliver here. But, upon consultation of the Privy Council, it has been thought best to withhold the letter at present for further advisement.

Here is another gap in the narrative. The following are memoranda made, according to custom, as materials to make it up at a later time:

January 27, 1827.—Cabinet meeting. Clay. Rush. Barbour. Southard.

The Creek Indians have arrested the surveyors from Georgia. Governor Troup has ordered out a troop of horse to protect the surveyors and force the survey. Question discussed, what is to be done? Act of Congress of 30th March, 1802, consulted.

Section 5 forbids surveying. Section 16 authorizes the military force of the U. S. to apprehend any person trespassing upon the Indian lands and convey him to the civil authority in one of the three next adjoining districts. Section 17 authorizes the seizure and trial of trespassers found within any judicial district of the U. S. It was proposed to order troops to the spot to apprehend the surveyors and bring them in for trial, by authority of Section 16. I have no doubt of the right, but much of the expediency, of so doing.

Mr. Clay urged the necessity of protecting the rights of the Indians by force. Their rights must be protected, but I think the civil process will be adequate to the purpose. The Georgia surveyors act by authority and order of the State. To send troops against them *must* end in acts of violence. The Act of 1802 was not made for the case, and before coming to a conflict of arms I should choose to refer the whole subject to Congress. Governor Barbour proposed sending a confidential agent to

warn the Georgians against proceeding, and the Cabinet meeting was adjourned to Monday, one P.M.

29th. Cabinet meeting. Barbour's answer to Crowell, and letter to Governor Troup. Modifications suggested. To avoid all irritating expressions. Proclamation not necessary. Message to be prepared for Congress.

Sent two messages to the Senate: one with papers relating to Panama mission; one an answer to resolution of 4th April, 1826, on lands unfit for cultivation.

J. M. White wishes to be appointed Chargé d'Affaires to Denmark. Mrs. White very unwilling to go back to Florida. He has no doubt of his own re-election, but must fight his way there. Barely escaped a duel the last time he was there. Southard had an insolent letter from a Lieutenant Legaré, at Pensacola, under suspension, and charges of intemperance and misconduct, for trial. He tenders his resignation, and talks of oppression, abuses, and corruption. I advised not to accept the resignation, but to make a new charge against him for writing the letter. I agreed to send a list of nominations for brevets in the army for ten years' service in one grade.

February 2d. Cabinet meeting. Clay. Rush. Barbour. Southard. Draft of message to Congress on the Georgia surveyors encroaching upon territories of Creek Indians. Objection to statement that a conflict of force between the military of the nation and of the State would be a dissolution of the Union. Higher motive than human authority—verbal.

3d. Southard, S. L. Letter from General Jackson; not that heretofore threatened, but another, brought by General Houston. The letter asks explanations of matters alleged to have been spoken last summer by Mr. Southard at a dinner-table at Mr. Welford's, at Petersburg, in Virginia. The General affects to consider this conversation as in the nature of charges against him by a member of the Government.

4th. Read a multitude of papers about Silas Dinsmoor, once a Deputy-Surveyor, and George Davis, one of the Surveyors-General; also about the removal of a land-office from Delaware to Tiffin, in the State of Ohio—a distracting question of state, upon which perhaps depend the political standing and

election of two or three members of Congress. And I signed the message to both Houses of Congress upon the surveys made by authority of the Legislature and Governor of Georgia upon lands secured by treaty to the Creek Indians. This is the most momentous message I have ever sent to Congress, and it is to go in to-morrow. Well may I say, "Cast me not away from Thy presence, and take not Thy Holy Spirit from me." Measures like this demand deep meditation before determining upon them; but, when once fixed, the less they are thought of perhaps the better. The solitude of this day has somewhat reconciled me to the rapid succession and endless variety of subjects which absorb and distract my time almost every day during the session of Congress. Visitors, petitioners, and solicitors, heads of Departments, calls of Congress, and dispatches engross every moment of almost every hour, and at least keep off brooding cares. These are vain and idle, but in solitude they crawl upon one like a nest of spiders. And now let me wait in patience and self-possession the issue of these events, and say—

"There's a divinity that shapes our ends,
Rough-hew them how we will."

5th. Southard said Houston asked him on Saturday night to deliver his answer to General Jackson's letter to him *open*, and not to send it through the post-office. I suggested to Mr. Southard the propriety of his answering the letter by a cool denial of the imputations upon General Jackson which imported a departure on his part from public duty, without indicating any sensibility to the violation of the confidence of social intercourse or to the tale-bearing misrepresentations which had called forth the General's letter, and without noticing the insidious allegation of the General, imputing to the *Government* of the United States the sentiments expressed on a casual topic of conversation at a dinner-table. I observed, if Jackson should be content with the denial of all imputation upon his character, the controversy would cease there with Southard's answer; but if Jackson intended to make a public quarrel of it, then outrages of decency and delicacy on his part might be discussed more usefully to the public than with him.

7th. Clay. Dispatches from A. Gallatin, 31st December.

Mr. Bailey's reply was to gross misrepresentations and falsehood in a newspaper reiterated after he had declared them false. The language used was charged with passionate epithets—base, infamous, villainous—which I advised him to omit.

Mr. Bell apologized for having voted against Judge Scott, of Arkansas, on the ground of his having killed Selden in a duel. He spoke also of the politics of New Hampshire somewhat doubtingly.

Governor Barbour mentioned the conflicting recommendations between the Indiana Senators for an Indian sub-agency.

Mr. Clay mentioned the instructions to be given to Mr. Gallatin, and Gallatin's wish to come home; said it would be impossible for him to prepare the instructions concerning the Eastern boundary; had thoughts of employing E. Livingston. I mentioned Holmes.

8th. Watkins had a letter from Binns with extracts from G. M. Dallas's abuse of me in his speech on the trial of Harris *vs.* Lewis. Watkins also recommended Colonel T. Randall to be Secretary for the Territory of Florida, to which he is going.

Knight and Angel came, as the Committee of Enrolled Bills, with five Acts of Congress, which I signed.

Mr. Graham took the papers he had left with me, in part prepared, in answer to a call from the Senate.

Southard read me two letters from Blackford and Gray, two persons who were present at the dinner-table conversation at Welford's which has been reported and misrepresented to General Jackson.

Governor Barbour brought me a copy of an Act of the Legislature of the State of Alabama, extending the jurisdiction of the State over the Indian territory within the limits of the State.

White came to urge the appointment of a Secretary for the Territory of Florida.

Mr. Wirt came in the evening to ask instructions concerning a cause in the Supreme Court about Madrazo—Bowen's negroes. The Governor of Georgia has given them up to Bowen. I sent to Congress a message, with Governor Troup's

letter to me, and the enclosures about his surveyors on Indian lands. Had some conversation with Everett concerning it.

9th. Mr. Chambers came to speak of the nomination of J. R. Poinsett for the mission to Tacubaya; spoke of its confirmation by the Senate as doubtful. I told him the reasons which had induced me to nominate him, and that I should acquiesce in any decision of the Senate upon it.

He mentioned an assertion of Tazewell, that it appeared from the documents communicated to the Senate that we could not attend the transferred Congress unless with a new invitation; said he was surprised to find, on examining the documents, that the assertion was totally unfounded, but that on conversing with a neighbor of Tazewell's he learnt this was a practice for which he was notorious.

Conway came to recommend some person for a Judge in Arkansas in the event of Scott's being finally rejected by the Senate. But he did not name him.

Southard and Barbour were here together. Southard gave me to read the answer he has prepared to General Jackson's letter. It is, as I had recommended, cool, and cautiously avoids every offensive expression. He will send it sealed.

Governor Barbour took the two plots of the lines between Georgia and Alabama, as drawn by the Commissioners of Georgia.

Mr. Clay spoke of a circular to several of the foreign Ministers here, complaining of the conduct of their servants on the drawing-room evenings. He spoke also of the appointment of a Minister to the republic of Colombia, and recommended General Harrison.

Company to dine. The Judges and Bar of the Supreme Court. I spoke to Judge Johnson of this controversy with Georgia, which, I told him, would first be tried by him. He said he would laugh them out of it. The Chief Justice said Judge Peters had written to enquire if C. J. Ingersoll's six hundred indictments could not be consolidated.[1]

[1] In the case in bankruptcy, already frequently referred to, at Philadelphia. The six hundred indictments were to be made for the same number of cases of tea held in store by the Government.

The Georgia message was this day referred by H. R. U. S. to a select committee of seven. The day was spent in debate upon it.

10th. I sent for General Brown, and had some conversation with him respecting a memorial which I have received from the artillery officers at Fortress Monroe, remonstrating against the alleged right of Colonel Bissell to be appointed to the office of colonel of the Second Regiment of Artillery. A bill to produce that effect has been introduced into both Houses of Congress—into the Senate with a report from T. H. Benton, drawn up with great art and some inaccuracy, to present Bissell as having a right to the appointment, and to arrears of pay from 1821, when he was dismissed from the service.

Brown said that the remonstrance from the officers at Fortress Monroe had been sent to me at his suggestion; and that he would take care that the facts should be known to members of the House.

I asked General Brown if he had sent an order to Colonel Armistead to come back here after he had been discharged by the Calhoun committee.

He said he had, at Mr. Calhoun's request and without due reflection, as it would have been more regular for him to have referred Mr. Calhoun to the committee for an order. Mr. Calhoun's object apparently was to have Armistead and Swift arrive here at the same time, to confront them together. They did arrive here at the same time; Swift was examined, but they were not confronted. Swift called on General Brown once, and said he would call again, but did not. He spoke not a word to him about his examination.

Mills is weaker and more exhausted than when last here. His re-election to the Senate is yet doubtful. He spoke with regret of his inability to take an active part in the debates of the Senate; and it is a great misfortune to me. The Woollen bill passed the House of Representatives this evening at six, by a majority of twelve, after a protracted and desperate struggle.

13th. Mr. Lowrie brought me resolutions of the Senate, advising and consenting to the appointments of Joel R. Poinsett as joint Minister with John Sergeant to the Assembly of Amer-

ican Nations at Tacubaya, transferred from Panama; of John Boyle, as Judge of the District Court in Kentucky; and of Sidney Breese, as U. S. Attorney for the district of Illinois. These nominations have been for some time suspended.

General Harrison came to enquire if I had decided upon the claim of Alexander Scott, Jr. I told him I considered the claim as not only unwarranted by law, but directly contrary to law, and sustained by no precedent; although there had been one case of an allowance of pay to a suspended officer for a short time, but no reason assigned for the allowance.

He spoke with some uneasiness and dissatisfaction of a resolution moved by J. T. Austin in the Senate of Massachusetts, looking to a claim of public lands for the benefit of the old States of the Union.

I told him I thought it would not meet with much support.

Mr. Brush came to take leave, returning to Ohio; and said something of Mr. Clay's being run for Vice-President at the next election, which he thought might be necessary to secure the States of Illinois and Missouri.

Mr. Southard told me that General Houston had declined forwarding his answer to General Jackson's letter unless delivered to him open. He thought, and I concurred with him, that his course was to forward the answer to General Jackson directly by another hand, apprising him that General Houston declined forwarding it unless open.

14th. General Brown told me he had conversed with Mr. Vance, Chairman of the Military Committee of the House; that he did not approve the bill reported by the committee for the appointment of a colonel to the Second Regiment of Artillery. It seems to require the appointment of Bissell with rank and pay for seven years that he has been out of the army.

Brown said the bill was drawn by Mr. Drayton, who did not wish the appointment of Bissell, but of Mitchell, the member of the present Congress from Maryland, who had left the army in disgust, because he had been overslaughed.

I said if Bissell should be appointed with back rank and pay, he might, ere long, be Commander-in-Chief of the army; for if I should decide the question of rank between Gaines and

Scott, whichever I should prefer, I expected the other would resign.

He said he thought not; perhaps they might fight.

The Secretary of War took the two letters from the Governor of Georgia to be answered, and spoke of the two reports from the Calhoun committee, especially that of Dr. Floyd, the Chairman, which is a laborious effort to sustain Major Vandeventer, still Chief Clerk in the War Department, and one of the sharers in the riprap contract. Governor Barbour also asked me whether Mr. Van Buren might not be appointed Minister to England upon Mr. Gallatin's return next summer.

I did not encourage this idea.

Mr. Clay spoke of the instructions to be given to Mr. Gallatin. I agreed that he should be authorized to renew the Convention of October, 1818, without alteration, for ten years, preferring that term to the one proposed by the British Government, of twenty or fifteen years. I would leave the Northwestern boundary "in statu quo" rather than accept anything proposed by the British, or concede anything to them. A statement must be made to present to the *umpire* in relation to the Northeastern boundary. The prospects of our relations with Great Britain are dark.

15th. Mr. Everett came, and showed me a draft of three resolutions which he has drawn, as Chairman of the committee of the House to whom my two Georgia messages have been referred. They declare the Indian Springs Treaty to be null and void; that of last winter is to be in full force, and the third proposes an appropriation to purchase the remnant of the Creek lands in Georgia. He asked if the last of these would be necessary.

I told him it would not; we could negotiate, and, in the event of success, ask for the appropriation afterwards. But I desired him to invite the attention of the committee to the accusatorial resolutions of the Legislature of Georgia, particularly the first, upon which I had begun writing some remarks. I also referred him to the documents showing the reasons for my refusal to remove John Crowell as the agent, and to try General Gaines by a Court-martial. I requested him par-

ticularly to call for all the documents relating to the subject on file at the War Department. And he said he would see me again before making the report.

16th. Mr. Kankey, Commercial Agent at Barbadoes, came; just arrived in a *British* vessel, owned in that island. He sailed from that island about the last of December, and chartered two other vessels, besides the one in which he came, to come and take cargoes here for the West Indies. The interdiction upon the vessels of the United States there took effect on the 1st of December. It operates severely upon the interest of the planters in that and all the other British islands. He says the exports must almost universally be shipped for England, the planters being much indebted to the merchants there; and that although our vessels, after the 5th of January, 1826, might have cleared out with cargoes for any part of the world, except Great Britain, yet not one of them did so.

Mr. Bell, of the Senate, called to make some enquiries concerning two articles of the treaty with Mexico, now before them—that containing the stipulation that neutral property shall be prize of war, taken in enemy's vessels, and that by which Spanish subjects are excluded from the advantages secured to citizens of the United States in Mexico.

Governor Barbour brought me a complaint against J. Crowell, the Agent to the Creeks, signed by the Little Prince, and others of his party, and forwarded by John Ridge, the Cherokee. The paper, though written in English, was not witnessed, nor did it appear by whom written. I thought Crowell should be informed of it, and asked Mr. Barbour if Brearley might be appointed in Crowell's place. He said there were bad complaints against Brearley, though he was favored by Cobb. He had some thought of T. M. Randolph, but feared his eccentricities.

Mr. Southard read to me a letter from General Houston, refusing to forward Southard's answer to General Jackson unless delivered to him unsealed.

17th. Mr. Graham brought me the resolution of the Governor and Council of Florida, and the letter of the Registrar and Receiver, announcing that, without authority from the Commissioner of the Land Office, they had advertised a large sale of

lands. I desired him to counter-order the sale, and in strong terms to disapprove their advertisement without authority.

Mr. Rush, who had yesterday sent an excuse for not dining here, now gave me the cause, which was a sudden call from S. Smith, Chairman of the Committee of Finance of the Senate, for information relating to the Loan bill now before the Senate. He read me Smith's letter and his answer.

Mr. Clay spoke of a letter from Rodney, at the Havanna, stating an intention of the Spanish Commodore, La Borde, to attack Commodore Porter at Key West, where he has taken refuge.

Mr. Clay was for taking vigorous measures to vindicate our territorial rights. I agreed to a Cabinet meeting on Monday, at one, to discuss the subject. Mr. Southard brought a list of nominations for promotion in the navy. He spoke again of his correspondence with Generals Houston and Jackson. He has forwarded his answer to the letter.

18th. Afternoon. I went to St. John's, and, instead of Mr. Hawley, unexpectedly heard a black man; from Mark ii. 14: "Follow me." He read the evening prayer for Sexagesima Sunday, and read a sermon rambling in argument, not below mediocrity in composition, and quite upon a level with the average of Sunday discourses from white preachers. There was in his manner both ease and solemnity. The galleries were stocked with numbers of black and colored men and women, to whom the preacher specially addressed much of his sermon. He made no allusion whatever to their color, but appealed to motives for following Jesus Christ, applicable eminently to the *poor*. He appeared to be, in the scale of intellectual being, a step above Prince Sanders.[1]

In the evening I attended again, at Mr. Little's, and heard him from Acts xvii. 11: "And searched the Scriptures daily, whether those things were so." He digressed from the historical narrative of the rise and progress of Christianity to discuss the question whether the doctrine of the Trinity had any warrant in Scripture. He chiefly considered Matthew xxviii. 19, and the first chapter of St. John's Gospel. But neither this,

[1] See vol. iii. p. 370, note.

nor any other argument that I ever heard, can satisfy my judgment that the doctrine of the Divinity of Christ is *not countenanced* by the New Testament. As little can I say that it is clearly revealed. It is often obscurely intimated; sometimes directly, and sometimes indirectly, asserted; but left, on the whole, in a debatable state, never to be either demonstrated or refuted till another revelation shall clear it up.

19th. Cabinet meeting to consider what shall be done if Commodore La Borde should actually take Commodore Porter at Key West. Certainly make heavy remonstrance, complaint, and demand of satisfaction to the Spanish Government. Whether to propose to Congress immediate retaliation; very doubtful. Orders to be given to our naval officers to protect by force, if necessary, the neutrality of our own territory. But Porter himself should not be permitted to make our territory his lair for sallying forth upon his enemy. There was some discussion upon the necessity of Acts of Congress for carrying into effect the treaties with Colombia, Guatemala, and Denmark, Mr. Clay deeming it necessary. Mr. Tomlinson, Chairman of the Committee of Commerce, had applied to him to know if an Act of Congress was desired on the subject. It was concluded to leave it for consideration till the next session. Silsbee was here in the evening. Spoke of the next Vice-Presidency—which, he says, W. H. Harrison looks to very earnestly.

20th. I had sent to ask Colonel Dwight to dine with me yesterday, but the House sat in the evening, and he sent an excuse. He came this morning. Ingham, in a debate in the House upon the Appropriation bill, last Wednesday, made an insidious attack upon me for some allowances in my accounts, misstated in the document (No. 79, Eighteenth Congress, second session, 21st February, 1825) printed with the report of the committee of which he was Chairman, upon Mr. Monroe's accounts and claims. The contingent accounts allowed of several other of our Ministers abroad were printed with that report of Ingham's, and mine among the rest. In the document from the Registrar's office there was an erroneous charge of a thousand dollars stated as allowed to me, but which had really been an allowance to W. S. Smith. Ingham has kept it two years in

reserve, and now pounced upon me with it upon some item for an outfit to Poinsett in the Appropriation bill of the present year. I explained the real circumstances of these allowances in my accounts to Dwight, as a member of the Committee of Ways and Means, and asked him to explain them to the committee and to the House—which he promised to do. I had drawn up some remarks on Ingham's speech, which I read to Dwight, but which, not being quite finished, I promised to send him this evening or to-morrow morning.

General Brown showed me a letter from Judge Spencer, of Albany, severely commenting upon the conduct of Governor Clinton, of New York, whom he considers as having broken himself down, and who, he says, will be abandoned by his own party. Brown thinks the same. The General spoke to me of the double rations of the staff-officers here, now cut off, and said they had been allowed by Mr. Jefferson.

21st. Mr. Dorsey came with Mr. Hebb, to recommend him, and remained some time after he withdrew. He spoke of the personal attacks upon me made in the House of Representatives, and I explained to him, as I had done to Colonel Dwight, the facts misrepresented by Ingham. He mentioned also the resolution, debated already three or four weeks, for enquiring of Mr. Clay his reasons for changing certain printers of the laws in newspapers, upon which Dorsey himself made a speech of two or three days.

22d. Mr. Bailey had received from Dr. Waterhouse an extract of my letter to him of 24th October, 1813, relating to the people of the Western country. He wished to furnish copies of it to some of the Western members of Congress; to which I had no objection. While he was here, the rifle company came into the yard, and paid me a firing salute of three rounds. Mr. Clay, having called in upon business, was soon followed by the three other heads of Departments. The Secretary of War had received a letter from Satterlee Clarke, directly charging Colonel Towson, the Paymaster-General, with having sworn falsely before the investigating Calhoun committee, demanding his arrest, and trial by Court-martial, upon this charge, and reserving to himself the right of bringing other charges against

him before the Court. After discussion it was agreed that the answer to Clarke should refer him to the civil tribunals of the District, by the grand jury; the offence, if committed, being cognizable by the Circuit Court; always to be preferred, when resort can be had to it, to the martial law. The company of Washington Guards paid me a marching salute. At eight in the evening the Marshal, Ringgold, came, and I went with him to the Washington birthnight ball, at Gadsby's Hotel, now first opened, in the Pennsylvania Avenue.

25th. Visits after morning church. Johnston[1] and Webster spoke of the Colonial Trade bill, now under discussion in the Senate. The first section of the bill, reported by the Committee of Commerce of that body, has been stricken out, and there are four or five different projects before them, with six days of the session left for both Houses to act upon the bill. One of the projects is to give the President a power to interdict the British shipping from the Colonies by proclamation.

Mr. Webster asked if that would not answer as well as a contingent interdict by law.

I said, no, because the measure taken by the Executive alone would not have the weight of an Act of Congress. If, however, they meant to shift the responsible burden upon the Executive, I would take it upon me. It seems extremely doubtful whether any Act of Congress will pass at this session. Webster said he would call upon me again this evening. He did not call. I was engaged till near midnight in tracing through the second volume of U. S. Laws, the journals of the old Congress, and the speeches of President Washington, the history of our relations with the Indian tribes since the Revolution, and the origin of the army, with its progressive increase. This examination, like many others, leads me deeper and deeper in research, till I am compelled to stay my enquiries for want of time to pursue them. In the controversy with Georgia, the powers of the General Government and those of the Government of Georgia are in conflict, and it is indispensable to know the whole history of our Indian relations of peace and war, to understand the ground upon which we stand. It was debatable ground far

[1] Josiah S. Johnston, Senator from Louisiana.

more under the Confederation than now, but Georgia and some other States are disposed to revert to the State claims under the Confederation.

26th. Governor Barbour proposed to employ Joseph M. White, the delegate from Florida, to ascertain if the Florida Indians can be prevailed upon to sell the remnant of their lands and remove beyond the Mississippi; to which I agreed. He had a letter from Cobb, enquiring why I had not denounced an Act of the Legislature of Alabama extending their jurisdiction over the Indians within their Territory. I desired him to answer, because the bearing of the lawful power of the Union is upon the acts of individuals, and not upon the legislation of the States.

Mr. Clay spoke much of the Postmaster-General, whom he wished to have appointed Minister to the republic of Colombia.

March 1st. Mr. Graham came with a land-grant to Alfred Flournoy, founded upon an Act of Congress passed a few days since, but in which the sections which he had entered are incorrectly described; and one of them had already been granted to another person. I told him I could not sign the grant till the Act of Congress shall be amended. Governor Barbour brought the list of officers to be nominated for promotion, with Colonel Jones's name upon it, signed by him. And I sent the nomination to the Senate. Jones himself came to argue his claim to me, after I had decided it in his favor.

Mr. Tomlinson came with the Colonial Trade bill, which has passed the Senate and is now before the House of Representatives. The last section introduced by Woodbury, if he understood it himself, was a trap. Mr. Tomlinson, however, did not understand it as I did. He had an amendment, which he intended to propose to the House, and with which the bill will be as effective as I expected could be accomplished. But, I told him, if the House passed Woodbury's section I hoped they would fully understand what it meant.

Mr. Johnson, the member from Virginia, introduced his brother, and a Mr. Leffler, of his constituents. Governor Barbour called again, with a letter from Governor Troup, of Georgia, in answer to the missive by Lieutenant Vinton, setting

the authority of the United States at defiance, accompanied with an order for rescuing the surveyors who may be arrested, for indicting the officers of the United States who may arrest them, and for two divisions of the militia of the State to be in readiness to resist hostile invasion. I desired Governor Barbour to give notice to the members of the Administration to meet here to-morrow morning.

2d. Cabinet meeting. The question was whether the communications received yesterday from Governor Troup, of Georgia, and Lieutenant Vinton, should be communicated to Congress, and, if so, whether with any comment upon their character.

That they should be communicated the opinion was unanimous.

Mr. Rush and Mr. Wirt inclined to the opinion that some remarks should at the same time be made, to disclaim the intention of an immediate resort to armed force, which Troup affects to consider as declared in the Secretary of War's letter to him.

Mr. Clay urged that the simple transmission of the papers, without a word of commentary, would be advisable.

My own first thought was to show by a very summary exposure the prevarication of Troup; but I soon came to the conclusion that the proper treatment of it was silence. I sent the message with the copies.

Mr. Knight, of the Senate, and Mr. Forward, of the House, brought me several bills to sign. I told them I would go in the evening to the Capitol. Colonel Dwight called, and returned me the copies of my two accounts that I had given him, to explain the charges upon which Ingham had invidiously commented in the House. E. Everett came, and showed me an additional paragraph to the report of the committee of the House, to be made to-morrow, upon the messages concerning Georgia. He said he would move that the message I should send this day should be referred to the same committee; and it was so done.

At seven this evening I rode with my two sons to the Capitol. Messrs. Clay, Rush, Barbour, and Southard were there to assist me in reading bills, till ten or eleven. I remained there till two

in the morning, and signed about forty bills, one only of which gave me pleasure, as permanently beneficial—half a million appropriated yearly for the gradual improvement of the navy. It was saved from a local quicksand with extreme difficulty. I sent to the Senate my last message of nominations. At two in the morning they suspended their rule of presenting no bills to the President on the last day of the session, determining to send all bills they could pass till noon—and adjourned. I came home at half-past two.

3d. At the Capitol—where I continued until the adjournment of Congress. I had only five or six bills, of little importance, to sign. The Colonial Trade bill was lost by a disagreement between the two Houses. The House of Representatives having last evening adhered to an amendment, the Senate this morning adhered to their non-concurrence with it. The Loan and Woollen bills were left among the unfinished business. The current Appropriation bills for all the Departments have been liberal enough; but the only bill which I consider as a permanent benefit to the nation and creditable to the Congress just expired is the bill for the gradual improvement of the navy—stripped as it was of half its worth by the exclusion from it of a Naval Academy, which the bill from the Senate had provided for. A local interest of New York struggling for a third dry-dock came last evening within a hair's-breadth of losing the bill. Mr. Storrs was induced only by personal entreaty from me to give up the point. The Seneca Indian Conveyance was laid on the table by the Senate, though I sent for and spoke with Mr. D. B. Ogden concerning it. About four, S. Bell and W. H. Harrison, of the Senate, B. Bassett and D. Webster, of the House, came as a joint committee, to announce their readiness to close the session—to which I assented. Walked home—Mr. Southard with me.

5th. Of the forty visitors whose names are in the margin, about one-half are members of Congress, who came to take leave before their departure homeward. Sherer came from sheer curiosity. Native of New Hampshire, successively transplanted to New York, Pennsylvania, and Virginia, he is returning to his father's, in Pennsylvania, and taxed my curiosity with a long

half-hour before breakfast. Dougherty came for a place to superintend some of the public works. Markley, Ogden, Breese, McCarty, and Wheaton came to thank me for the appointments they have received. Knapp, Allen, Love, P. Adams, to apply for office or money. Allen is a mendicant clergyman, who was here last summer. He has the manners of a half idiot. Lowry brought me a resolution of the Senate, and the confirmation of all my recent nominations. Pleasanton had a letter from Satterlee Clarke, asking questions, which I advised him to decline answering. Clowes came with an invention of his own, and begging for charity. Thomas told me that he remained here this day to see Mr. Clay, with whom Dr. Watkins had undertaken to reconcile him. He said also that it was his intention to take a more active part in the measures of the Senate at the next session than he had done heretofore. Taylor spoke with very little hope, and less confidence, in the delegation from New York at the present Congress. The Western members who called this morning, and again in the evening, are in far higher spirits. I was from ten this morning till ten at night never five minutes without one or more of these marginal notes. And I can scarcely conceive a more harassing, wearying, teasing condition of existence. It literally renders life burdensome. What retirement will be I cannot realize, but have formed no favorable anticipation. It cannot be worse than this perpetual motion and crazing cares. The weight grows heavier from day to day. Mr. Clay says that these times of trouble are the times which try the spirits of men. Even so. And may our strength be proportioned to the ordeal through which we must pass!

6th. A Cabinet meeting had been appointed for this day at one o'clock. Mr. Wirt called early, to say that he was much engaged with public causes at the Supreme Court, and asked if he could be excused from attending here. I told him I could not dispense with his attendance, and he came. Cabinet meeting at one. The question was whether a proclamation shall be issued conformably to the Act of Congress of 1st March, 1823, to regulate commerce with the British Colonial ports. There was much discussion upon the point whether the proclamation

was imperatively required by the law, whether the time for issuing the proclamation was at the discretion of the President, and whether he can suspend its operation till the 1st of October or of January next.

Mr. Clay thought that the issuing of the proclamation was positively required by the law, but that the time was, to some extent, discretionary, and that its operation might be prospectively made. He said Mr. Vaughan, the British Minister, had called on him yesterday and requested that if the proclamation should issue it might be with some previous notice.

I thought there could be no prospective suspension of the law by the Executive, but that it might be effected by remission of the forfeitures until reasonable time of notice shall be given.

There was a question whether the trade had been *prohibited* by the British laws, so that the proclamation would be required, and concluded that it had. Mr. Clay said that Judge Thompson, of the Supreme Court, was of that opinion. After three hours of deliberation, it was agreed to meet again next Monday before a final decision should be made.

10th. Mr. Withers is a patentee, who came with a formal written complaint against Dr. Thornton, which he had already exhibited to the Secretary of State. Mr. Clay declined acting upon it, considering the causes of complaint alleged as pertaining to the private and not the official character of Dr. Thornton. I was of the same opinion, and told Withers that, if wronged, his remedy was before the judicial tribunals.

When Judge Johnson last dined with me he had promised to look into the Act of Congress of 30th March, 1802, "to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers;" the Act upon which the prosecution of the Georgia surveyors within the Indian territory has been directed. The Judge now suggested that there might be a constitutional difficulty in the execution of the law; for which he referred to the Constitution, article three, section two, last paragraph, and to the sixth article of amendment to the Constitution, securing to criminals a trial in the State and district where the crime was committed—whence Judge Johnson anticipates two objections to his jurisdiction in this case:

first, if the survey is admitted to have been within the State of Georgia, it will be contended that Congress could pass no Act prohibiting surveys by authority of the State; and, secondly, that Alabama claims the very land where these surveys were made; and if her claim be correct, the trial by the sixth amendment to the Constitution must be in Alabama.

I said I supposed the Georgia surveyors would be estopped from pleading that they were surveying in the State of Alabama.

The Judge appeared very desirous of being relieved from trying the cause, and said there could be no possible reliance upon a Georgia jury to try it. But he said he should take occasion, as soon as possible, to send it for trial to the Supreme Court, and he said he had decided many years ago the principle that Indian territory was not within the civil jurisdiction of the United States.

12th. Mr. Wirt called to say that he should be necessarily engaged at the Supreme Court this day, and thus unable to attend the Cabinet meeting at one o'clock. Cabinet meeting from one to half-past four. The question upon issuing a proclamation under the Act of Congress of 1st March, 1823, was again discussed, and Mr. Canning's notes to Mr. Gallatin of 28th and 29th January were read. It was obvious that the British Government would adhere to their determination not to negotiate on the subject of this trade, and, whatever discretion the Executive might possess to choose the time for issuing the proclamation, it was unanimously concluded that it could not with propriety be delayed so long as until the next session of Congress; and that, if delayed now, no adequate motive for issuing it could be assigned at any subsequent period before the session.

I requested Mr. Clay to prepare a draft of the proclamation, to be presented at a further meeting at ten o'clock the day after to-morrow, when the Attorney-General may be able to attend. On examination of the Act of 1st March, 1823, it was the prevailing ultimate opinion that the exclusion of British vessels coming from the Colonies would take effect only from the time of its publication; and that there might be a remission of the forfeiture to vessels arriving without previous notice of the exclusion.

Mr. Clay said he had seen Mr. D. P. Cook and offered him the secret Agency at the Havanna, which the circumstances of the present time render peculiarly expedient, and which he has accepted. He proposes to embark immediately. Mr. Southard and Mr. McLean, the Postmaster-General, had earnestly urged this appointment.

13th. Mr. Wheaton came to tender his thanks for the appointment of Chargé d'Affaires to Denmark, though asking time—three or four months—to consider of it; to publish the volume of his reports containing the present term of the Supreme Court; to finish a volume of the revised Statute Book of New York, upon which he is occupied; and to consult his father, who is far advanced in years and may perhaps object to his leaving the country.

I told him the time of his departure might be accommodated to his own convenience.

Cook is going to Norfolk, there to embark on a secret Agency at the Havanna.

14th. Cabinet meeting at ten. Mr. Clay had sent me yesterday a draft of a proclamation declaring that the trade and intercourse between the United States and certain British Colonies, which had been opened by an Act of Parliament of June, 1822, was now prohibited by two Acts of Parliament of 5th July, 1825, and an Order in Council of 27th July, 1826. I had made some slight alterations in the draft, and abridged it by one-half. Some further alterations were made, and it was determined that it should be issued to-morrow or the next day. I also requested Mr. Rush to prepare circular instructions to the Collectors of the Customs for carrying into effect the Navigation Acts of 1818 and 1820.

There was some question whether the interdict upon British shipping from the Colonies will not, upon the issuing of the proclamation, operate retrospectively to the 1st of December last, the time at which the British prohibition commenced; but I think the law fairly susceptible of the construction that our interdict shall commence only upon, and after, the issuing of the proclamation.

The meeting was abridged, as Mr. Wirt was engaged at the

Supreme Court in the arguing of a cause, and Mr. Barbour and Mr. Southard were to take the steamboat at four this afternoon upon a tour to Point Comfort and Norfolk.

Mr. Rush remained with me perhaps two hours after the meeting was over, and we conversed together on this thorny subject of the Colonial trade; upon which he urged me to write for publication. I intend to do so if I can command the necessary time.

Mr. Clay came in before Rush left me, and spoke of a draft he had some time since submitted of an instruction to Poinsett, to propose to the Mexican Government the purchase of the province of Texas to the Rio del Norte, or the Colorado. I asked him to let me see the draft again.

15th. Varied my morning walk from the Capitol Square to the College Hill, the distance being the same.

Mr. Anderson, the Comptroller, called this morning, to converse with me upon the circular instruction to the Collectors, to be sent with the proclamation. He spoke also of other subjects, and particularly of the bitter and rancorous spirit of the opposition. It has produced during the late session of Congress four or five challenges to duels, all of which, however, happily ended in smoke; and at a public dinner given last week to John Randolph of Roanoke, a toast was given directly instigating assassination. Mr. Anderson remarked to me that General Jackson was deeply indebted to me for his character before the nation, and thought I had been ill requited for kindness and service to him. Dr. Todson came in while Mr. Anderson was with me, and solicited a remission of that part of the sentence of the Court-martial upon him which required the payment by him of forty-seven dollars; to which I assented. I directed him to call at the War Department, where the order would be given. Major C. J. Nourse, now the Chief Clerk of the Department, afterwards came over, and I desired him to enter the remission of that part of the sentence upon the proceedings of the Court.

Mr. Chase, a son of the late Judge Chase, came to solicit the appointment of Judge of the Orphans' Court, vacated by the death of Richard Bland Lee. Chase is now a messenger in

the Navy Commissioners' Office. I directed the commission of judge to be issued to him.

Mr. Clay and Mr. Rush were here together. Rush had the draft of his circular to the Collectors, which we discussed and amended, and which is to be prepared for publication with the proclamation on Saturday. Mr. Clay told me he should send his son as a messenger with dispatches to Mexico. He read his instruction to Poinsett to propose the purchase of Texas. I advised him to leave out the offer of ships of war, and offer only money.

16th. Immediately after breakfast, at half-past nine, I walked to the Capitol, and, in the apartment of the Columbian Institute, heard the discourse upon my father's character, delivered by Judge Cranch. It was nearly three hours in the delivery; yet a considerable part of it he omitted. The style of composition was plain and simple, the assemblage of facts more copious and diversified than in any of the eulogies I had heard before, and there was, in several of the extracts from writings of my father, in the letter from Mr. Jefferson to him on the death of my mother, and in several of the allusions to her, a pathos which affected every hearer, and which more than once moved me to the very borders of manhood.

There was a vote of the Institute of thanks to Judge Cranch, and that the discourse should be printed for their use. The company assembled was not numerous, and consisted about one-half of ladies. The meeting adjourned about one, and I walked home in company with Mr. Daniel Brent and Dr. Watkins. At the gate of my house I met Mr. Rush, who went up with me to my chamber. He had the amended draft of a circular to the Collectors of the Customs, to be sent with the proclamation relating to the British Colonial trade. It was approved, and will be printed and forwarded to-morrow. Mr. Daniel Brent brought a draft of an instruction to J. Sergeant and Joel R. Poinsett, Ministers to Tacubaya, which I approved. I received a letter from Dr. Todson, of thanks for the remission of the pecuniary part of his sentence, a flattering Latin quotation from Cicero, and a renewed solemn protestation of his innocence.

17th. Captain McNeil came for a decision upon his claim for double rations—by an appeal from the Secretary of War. I told him that however reasonable his claim might be, and however disposed I was to comply with his wish, I had no authority to do so.

Tyler came, and introduced Bocciardi, a native of Paris, son of an Italian sculptor, who, he said, wrought the marble horses at the entrance of the Tuileries. He has been residing more than twenty years in North Carolina, and is now about returning to France.

Mr. Rush called to mention that Mr. Pleasanton had complained to him of two clerks in his office, who, upon a political dispute yesterday, had fallen to a boxing-match, and, as he could not ascertain who struck the first blow, he was disposed to dismiss them both.

I said that might be necessary, if it could not be shown who commenced the fray; but otherwise it would be very hard to punish the assaulted as severely as the assailing party. He said he would make further enquiry.

General Brown paid me a morning visit, and Mr. Clay brought a draft of a note to Mr. Vaughan, the British Minister, communicating the proclamation issued this day, by which the Navigation Acts of 1818 and 1820 are revived.

I suggested some softening alterations of the draft, which he adopted.

He also left with me a note from the French Minister, the Baron de Mareuil, complaining that the discriminating tonnage and impost duties have been levied upon three French vessels which arrived at Savannah after having touched and left part of their cargoes at French West India islands. There were letters upon the subject also from the Secretary and Comptroller of the Treasury.

18th. There came on this morning a heavy storm of rain, which detained me from attendance at church. I finished a long letter to A. Gallatin. I write few private letters, and those under irksome restraints. I can never be sure of writing a line that will not some day be published by friend or foe. Nor can I write a sentence susceptible of an odious miscon-

struction but it will be seized upon and bandied about like a watch-word for hatred and derision. This condition of things gives style the cramp. I wrote also the weekly letter to my son. These at least will escape the torture of the press.

Mr. Henry Wheaton called upon me, to converse again upon his contemplated mission as Chargé d'Affaires to Denmark. He has yet to obtain the consent of his father, but hopes it will not be withheld. He has read the previous correspondence upon the claims, and I advised him to see and confer with Mr. Connell at Philadelphia. He goes for New York to-morrow.

I read Mr. Huskisson's speech in the House of Commons, on the 12th of May, 1826, on the state of the shipping interest and the navigation laws. He admits that in substituting reciprocity for the old exclusive principle of the Navigation Act they had proceeded upon compulsion, under the retaliatory discriminating duties of the United States. His whole argument for the adoption of this rule of reciprocity is necessity, imposed by the countervailing regulations of other countries—necessity, first, to compound with the United States; and next to extend to other countries the advantages already yielded to them. The further step of taking back from them that which is now conceded to others was taken more than two months after the delivery of this speech, but the fear and jealousy of the United States, which prompted to that measure, are unequivocally disclosed in many passages of the speech.

19th. Dr. Watkins called, and showed me a letter that he had written in answer to one from B. Estill, concerning a statement made by Alexander Smyth in the Virginia Legislature, that I had offered "carte blanche" to Crawford at the late Presidential election for his support, and that the offer was made by Watkins through Dickins. The letter was long and argumentative.

I told the Doctor I thought it would be better distinctly to declare that he had never been authorized by me to make any such proposals, and never had made any such. Mr. Webster came to take leave; going to-morrow. Mr. Rush, about the fray between the two clerks, Houston and Pottinger. They have settled their dispute, and apologized for their breach of the peace. Mr. Ironside brought the British ratified Convention

and the proclamation, which I signed. Mr. Clay came for an answer to the French Minister's claim of remission to the discriminating duties on three French vessels. I thought it should be simply granted. He had also two notes from Mr. Vaughan, with answers, which I approved, as also the answer to a complaint from Mr. Rebello. E. Wyer was here in the evening, the eightieth day since he left Washington for London.

20th. Mr. Clay came with a draft of instructions to A. Gallatin, to be sent him with the proclamation restoring the Navigation Acts of 1818 and 1820. He directs him to make no further advance to the British Government on the subject. But if unexpectedly any should be made on their part, he is authorized to agree upon the basis of either of the two bills that were introduced into the Senate and House of Representatives by the respective Committees of Commerce.

E. Wyer brought me last evening the signet-ring which I had requested him to procure for me in London—the device a very simple one, of which a sixpenny seal had been given me—a cock, with the motto, "Watch." I wished it in better garb and execution. But the precept of Jesus is to *pray* as well as *watch*, and he used the cock as a monitor to recall to duty the faithful disciple who denied him at the crisis of his fate. To fix the fleeting solemnity of these thoughts, I threw them this morning, before breakfast, into a sonnet to Chanticleer, which is here in the margin, and of which, when I come to be ashamed of the poetry, I may still adhere to the morality.

Shortly after the production of this sonnet the editor left Washington, for the purpose of establishing himself permanently in the practice of a profession in Boston. The result of this separation was the establishment of a regular weekly correspondence, which was punctually kept up even through the most engrossing period of Mr. Adams's labors in the Presidency. His letters generally spread over four pages of a letter sheet, closely written. Among other questions raised was that of the value of early rising. It was in connection with his views that he sent a copy of the sonnet. He closed a letter, written on the last day of the year, with the following sentence:

"I have thrown some of these ideas into the form of a sonnet, which I enclose, and which I wish you to consider as especially an exhortation to early rising. As to the rest, let your heart feel and your mind meditate for itself."

At the top of the page is a well-colored figure of a cock, probably supplied by a niece.

WATCH AND PRAY.

SONNET TO CHANTICLEER.

Minstrel of morn, whose eager ken descries
The ray first beaming from night's regions drear;
Herald of light, whose clarion sharp and clear
Proclaims the dawning day-star to the skies.

Bird of the brave, whose valiant heart supplies
The beak of eagles and the falcon's spear;
Bird of the lofty port, disdaining fear,
Unvanquish'd spirit, which o'ercomes or dies.

Bird of the faithful, thy resounding horn
To thee was given the child of man to warn
Of sinking virtue and of rising day.
Oh, while from morn to morn I hear thy strain,
Let the shrill summons call me not in vain
With fervor from on high to WATCH and PRAY.

21st. Mr. Southard called this morning, having, with Governor Barbour, returned yesterday from their tour to Norfolk and Point Comfort. They had a boisterous time, both going down and returning, but with reference to the business on which they went are satisfied, having selected a site for a navy hospital.

General Brown came to take leave, and departed on his Southern and Western tour.

Dr. Todson came, full of professions of gratitude for my remission of the pecuniary part of the sentence against him, and asking for further favor. I told him I could do nothing for him now. Perhaps in the course of a year or two some occasion might occur when I could serve him. In the mean time I advised him to resort to his profession for a support, and I doubted not that by industry and good conduct he would ob-

tain comfortable subsistence. He thanked me again, and said he would take my advice, and should leave the city in two or three days.

Mr. Brent came to inform me that there had been by mistake two appointments of a Consul at Santa Martha during the late session of the Senate—the first in December, of Seaver, the other in February, of Mr. Ely. I told him the commission must be sent to Seaver, and an apology to Mr. Ely.

I returned to Mr. R. H. Lee the letters from my father and from Samuel Adams, which he had sent me last summer, and had much further conversation with him concerning his projected biography of Arthur Lee. He thought he should treat lightly of Mr. Lee's controversies with S. Deane and Doctor Franklin. I told him of my meeting Jesse Deane in 1824, and that I should be sorry at the publication of anything that would wound his feelings in regard to his father. I also advised Mr. Lee to correspond with Samuel A. Wells—which he said he would.

23d. John Mason is Secretary to the Legation to Mexico. He came home as a messenger with the treaty concluded by Mr. Poinsett, and now asks a furlough for eight months. He is on the brink of marriage, and has important private concerns which require his attention. I told him that these furloughs from service abroad were inconvenient to the public and distasteful to the Government. But, he said, Edward Tayloe was with Mr. Poinsett, performing entirely to his satisfaction all the duties of a Secretary of Legation, entirely competent to them, esteemed in the country, and possessed familiarly of the Spanish language. He said also that he should expect, of course, that his salary would be suspended while his leave of absence should be continued.

I finally told him that I would consider of his application, and comply with it if I could consistently with my duty to the public.

Dr. Todson came to ask me if I was willing that he should publish a written opinion, signed by E. Livingston, against the proceedings of the Court-martial; and also a note stating that when I approved the proceedings of the Court-martial against

him I had not seen the letters of Bishop Dubourg and General Gaines in his favor. I told him no such note could be published, as the fact was otherwise; and as to Mr. Livingston's opinion, he might publish it if he pleased, but I thought it would rather injure than serve him.

Governor Kent called for a morning visit. Mr. Clay read me a letter from Jabez D. Hammond, at Albany, and left with me one from a Colonel Thompson, in Kentucky. He had also a draft of a letter to L. Cheves, requesting him to see that the papers of the Slave Commission should be delivered over to the new Commission.

24th. Mr. Southard came with a letter from Loammi Baldwin, agreeing to accept the appointment of engineer for constructing the dry-docks at Charlestown and at Gosport, under the Act of the last session of Congress for the gradual improvement of the navy. There was some question of details upon the terms of his engagement, but none that cannot easily be adjusted. He proposes that his two brothers should be employed as assistants with him.

Mr. Southard had also a letter from R. S. Garnett, late a member of Congress from Virginia, soliciting for a passage in some one of the public ships, if it can be granted without infringing upon State rights. Garnett was a lively, sensible, and somewhat eccentric Virginian, who was all but demolished three years ago by a fever. Never was the vital spark nearer extinction and yet kept alive. He was nine-tenths dead when elected to the late Congress. He now declines a re-election, and wishes to go to sea in a public ship for the recovery of his health. The "res angusta domi" will not admit, he says, of his going at his own expense.

Mr. Southard came afterwards a second time, to make enquiries concerning the sentences upon the trials of the cadets. The father of one of them, Stocker, has written to him asking his interposition in behalf of his son. He was sentenced to be dismissed.

I had not read the proceedings, but intimated to Mr. Southard that it would be well to give an interlocutory answer to Mr. Stocker—interferences of fathers and members of Con-

gress with Courts-martial being in no wise favorable to the support of discipline.

Mr. Rush brought the statements of the balance in the Treasury, and the estimate of receipts and expenditures till the 1st of July, with a view to determine how much of the principal of the public debt may then be paid off. His opinion fixes upon five millions—with which my own coincides. He is very apprehensive of a defalcation in the revenue, from the interdiction of the British Colonial trade.

26th. Governor Barbour enquired if I had gone through the papers relating to Bruce's contract. I had not. He left with me, to read, a letter from H. R. Storrs, at Albany, to Gales, the editor of the Intelligencer, relating to the state of political feeling at this time in the Legislature of New York, now in session.

General Macomb brought me back the proceedings of the Court-martial upon Cadet James W. M. Berrien at West Point, with the argument of Mr. Berrien, the Senator from Georgia, against them and in behalf of his brother.

Mr. Tyler returned to me the Annuaire of the French Board of Longitude for 1822, which, he said, he had received from Mr. Cardell. He, it seems, had borrowed it of me three or four years since; which escaped my recollection. Tyler also showed me a letter from my father to him, dated 4th July, 1818, of which he proposed to publish an extract; but I dissuaded him.

Colonel Randall came to take leave of me. He is going to Florida—first, upon a speculation to purchase land at one of the public sales to be made there in May; and, secondly, to settle there.

Mr. Law announced to me that he had prepared a plan of finance such as never was presented to any nation, which would place at the command of the Government many annual millions to be applied to internal improvement and to strike all opposition dumb. Not wishing to trespass on my time and occupations, he asked only that I should send copies of it to two or three of my friends, and, if they should approve it, that I should recommend it in my next message to Congress.

After hearing him expatiate a quarter of an hour or more

upon the marvellous effects to be produced by his plan, I desired him to let me have it, and promised to give it a deliberate consideration; but this did not answer his purpose. He urged me with great pertinacity to say that I would submit the consideration of it to some of my friends conversant with the subject of finance, till I was obliged to tell him that upon subjects to be recommended in a message the members of the Administration were the only persons whom I was in the habit of consulting, as they were responsible for their advice; and if I should determine to refer his paper to any of my friends, it would be to them.

He then hesitated whether he should send me his paper at all; but I rather cheered him to send it, and he left me expecting to receive it.

Mr. Bulfinch brought me a plan for the jail to be built at Alexandria, which I approved. He spoke also in behalf of his son for a clerkship.

Mr. Triplett was an officer in the army, cashiered by sentence of a Court-martial, who appeals from the decision, and repeated much of a memorial he had addressed to me on the subject.

Scott is a youth of seventeen, son of Alexander Scott, of Georgetown, who solicits a midshipman's warrant. He brought me a letter from his father, and a recommendation from Mr. Monroe. He says he has been two or three years on the register of aspirants.

The leisure of the day and evening I was occupied in examining the proceedings of the Court of Enquiry upon Lieutenant-Colonel Richard Smith of the Marine Corps. But the catarrhal oppression upon my lungs makes writing doubly irksome, and produces listlessness and dejection of spirits. I lost also nearly two hours this morning in consulting Goldsmith's Earth and Animated Nature for the natural history of falcons, eagles, and of the cock, the last of which was unsatisfactory. I closed the evening before ten, leaving about eight pages of Colonel Smith's Court of Enquiry unread.

27th. Dr. Todson came again to ask favor of me immediately. He said that he was about forming a matrimonial connection with a young lady, whose parents had no other objection to

the match than his destitute condition and the shade upon his character arising from his dismission from the public service. He spoke also of the great difficulty of obtaining support by his profession under his present circumstances.

I told him that I had done for him all that was in my power; that as to replacing him in the public service, it was doubtful whether I should ever be able to do it consistently with my own obligations; but if I should, it could only be by nominating him to the Senate for an appointment, and that could only be while the Senate are in session.

He said if he had known that he would not have troubled me again, and once more took leave.

Mr. Little came to ask for a settlement of his charge for extra copying in the Patent Office. A bill for legalizing this work passed the House of Representatives at the late session of Congress, but was not acted upon in the Senate. Mr. Little said he should not ask to be continued in this employment, but he was extremely anxious to be paid for what he had done. Mr. Clay, he said, had referred the decision of the question to me.

Mr. Little's request is very reasonable in itself; but last summer he was equally importunate to obtain the doing of the work, upon condition that his compensation should expressly depend upon its being subsequently sanctioned by Congress.

Governor Barbour brought a number of papers concerning Lovely's purchase, with a report from T. L. McKenney.

Mr. Rush had an application from Norfolk for the admission of a British vessel which had arrived within the jurisdiction of the United States before the proclamation was received by the Collector at Norfolk, but had not anchored in the harbor till after. There was a long argumentative letter from Mr. Tazewell, the Senator, in support of the claim. I advised Mr. Rush to answer that the vessel was to be considered as having entered before the proclamation was known. Mr. Rush mentioned also that there had been this day a meeting of the Commissioners of the Sinking Fund, who had determined to pay off five millions of the principal of the public debt on the 1st of July.

Mr. Clay brought me two private letters—one from Jabez D.

Hammond, at Albany, intimating his disposition to accept one of the Auditor's offices in the event of a vacancy, and suggesting the policy of making one.

29th. Hearing the clock strike at the half-hour, I rose, believing it between four and five. After rising, I found it was an hour earlier; but I beguiled the tediousness of time with occupation. Wheaton came to expose to me his penury and distress. He told me he was seventy-three years of age; that he began with the American Revolution; that he received in the course of it many dangerous wounds. He was one of the clerks in the Land Office, and is among those recently dismissed from it, to starve with a daughter who has a worthless husband—worse than dead—and four small children, all destitute even of bread. He has almost totally lost his memory, and has long been unable to perform any duty at the Land Office; but his removal from it has placed him in a pitiable condition, and his appeal to me was pathetic, not without tears.

Mr. Levy is a young man from New York, going to Richmond, Virginia, and called upon me from mere curiosity. Not of kin, as he told me, to Nathan Levy, but a descendant, like him, from Abraham.

Mr. Hewlett styles himself a colored comedian from London, and told me he was of the native American stock, a pure descendant from Pocahontas. He is giving theatrical exhibitions here, and came to ask my attendance at one of them—which I declined, partly on account of my health, and partly from an increasing aversion to all public exhibitions of myself.

Commodore Morris called to take leave, intending to go tomorrow with Commodore Bainbridge upon a tour of inspection of the Northern navy-yards, as Commissioners of the Navy. Morris looks much emaciated, and has, I fear, an incurable hepatic complaint.

Mr. Brent came to enquire to whom and how he should transmit a commission as Consul at Santa Martha to Mr. Seaver. I desired him to send it over to me, and said I would forward it to Governor Levi Lincoln, who had recommended Mr. Seaver and will know where the commission would find him. I was glad to have an opportunity of writing to the

Governor, who has sent me a printed copy of his message objecting to the passage of the Free Bridge Act, in the Massachusetts Legislature.

I was occupied much of this day in reading the papers respecting the contract of John Bruce for removing obstructions from the Ohio and Mississippi Rivers. He first gulled the Engineer Department by a pretended invention which was to perform wonders in cutting snags, sawyers, and planters. He then defrauded the nation by a pretended performance of his contract, which left the rivers in a worse condition than before he commenced his operations upon them; and now, having been paid for more work than he has performed, he writes the most insolent and insulting letters to the Secretary of War, and to me. He is, withal, a political tool of the coarsest kind.

30th. Governor Barbour called with a pamphlet published by General Scott, apparently being a letter from him to the Secretary of War upon the subject of the contest for rank between Scott and Gaines, and a pamphlet previously published, no doubt by Gaines. Scott had already sent his letter in manuscript to the Secretary of War, and it is not only full of coarse invective upon Gaines, but offensive in several passages to the Secretary of War himself. Governor Barbour thinks that some notice of censure should be taken of it, and proposed a meeting of the members of the Administration to consider of it to-morrow; to which I assented.

31st. Lewis is a young man, son of a clerk in one of the Departments, educated at West Point, and now applying for an appointment himself. He left the Academy after having been there three years without completing his term, and now claims the merit of having a family to maintain. Mr. Betton came to ask the return of letters recommending him, which he had left with me. I could not immediately find them, and he was to call again for them in the evening, but did not.

Mr. Walsh came and passed an hour with me, and gave me, with great freedom and candor, his opinions upon political subjects. I told him I had received his last letter requesting an article on the British Colonial Trade, which I promised to fur-

nish him at latest by the 15th of May. He said that upon that question he was satisfied we had the right of the controversy, but that if we had not, he should never take the side of a foreign Government in collisions with our own. He also thought it would be politic in the Government to make some federal appointment in Pennsylvania. He said he had nothing to ask for himself; but he was very urgent in his recommendation of Mr. Hopkinson. I mentioned several federal appointments that have been made, but he thought the party would not recognize them.

Cabinet meeting at one. Clay, Rush, Barbour, Southard, Wirt, all present. The question was, what should be done upon this publication by General Scott of a pamphlet letter to the Secretary of War. A regulation of the army forbids the officers, on penalty of Court-martial punishment, from publishing in newspapers or pamphlets their private quarrels. Scott complained to the Secretary of War that Gaines had violated the order, by printing a pamphlet containing a part of the correspondence, but suppressing the most important of all the documents, namely, Scott's answer to an argumentative and vituperative letter of Gaines. Scott therefore asked either that Gaines should be arrested and brought to trial for violation of the rule, or that the rule itself should be suspended so far that he might publish a counter-pamphlet to that of Gaines. He was informed that the rule could not be suspended, but that the Government possessed no evidence to sustain a charge against Gaines for publishing the pamphlet. Scott then sends this letter in manuscript, a hundred and fifty-six pages, to the Secretary of War, and immediately after prints and circulates it in this pamphlet.

The first question was, whether they should both be arrested and tried. But we have not evidence to sustain charges against either of them. Scott, however, had sent his letter in manuscript to the Secretary of War. Had we not a right to conclude from the fact of publication that it was made by his authority and to hold himself answerable for it? Then, if Scott alone should be taken to task, leaving Gaines unnoticed, something of partiality would be suspected among the people,

for visiting with censure only him whose transgression consisted only in repelling the offence of the other.

It was at length thought best that the Secretary of War should write to both, stating that although there was not evidence at hand legally to convict them of the violation of the regulations, yet the presumption arising from the circumstances warranted the inference that they had both gone beyond the line of their duty; that this conduct was disapproved by the President, and the more so because the only difference between them which could call for any publication from either of them was of public interest, and might have been discussed by them in pamphlets without violating any of the army regulations. But in determining to write this letter, I observed that it would be proper to be prepared for the next step if their answers should be insulting, which I thought Scott's would be. It was said—strike from the rolls of the army, or try by Court-martial.

April 2d. Mr. Southard called twice in the course of the morning—first, to mention letters received from Commodore Hull in the Pacific, and from Rodgers at Malta, in December; and afterwards, to read me a reply from General Jackson to the answer Southard had sent him to the letter which Jackson had written to him about the after-dinner conversation last summer at Fredericksburg. This reply is in two or three sheets of paper, written in a coarse and insulting style, somewhat verbose, and with passion partly suppressed; alleging that he had received the statement of Mr. Southard's remarks from Dr. Wallace and a Mr. Johnson in writing; these were two of the guests at table. He complains that Mr. Southard's answer is argumentative, instead of plain matter of fact, which he had expected; and then it enters into large historical details to show that he received no proper supplies from the War Department for the defence of New Orleans, but saved that city by obtaining pistol-flints from Barataria. He finishes the letter by announcing it as the close of the correspondence.

Borosky was a stranger, who announced himself as a Polish officer, wanting money to go to Philadelphia, where he expected to obtain relief from S. Girard. The impositions I have

endured from pretenders of this description have made me callous to their applications. I denied him, not without reluctance.

3d. Cabinet meeting at one. All present. The drafts of letters to Generals Scott and Gaines were discussed and amended, softening the expressions in many passages. The general order to be issued to the army was also considered. That such an order should be issued was thought advisable by all. The terms of the draft were considerably modified.

After this was disposed of, Mr. Clay read his draft of a letter of instruction to Mr. Gallatin, containing a reply to Mr. Canning's last note on the Colonial Trade. He apologized for its length, and also for the more than moderation of its tone. It answers and refutes all that has a show of reason in Canning's note, and points out its departures from matters of fact. It proceeds to state our assent to the principle of regulating the trade by legislation; then states what we are inclined to offer by law, and instructs Mr. Gallatin to enquire, first, whether they will, in consequence of our opening the trade to their vessels without discriminating duties, and yielding to them the circuitous voyage, open the ports to our vessels; secondly, if they will not open them upon those terms, whether they will upon others, and what terms. Mr. Rush had already seen this draft, and Mr. Clay wished that Governor Barbour before he leaves the city, and Mr. Southard, should examine it. Southard said he thought there was rather too much of concession in it. I inclined to the same opinion myself. Evening solitary and incapable of labor.

7th. On reading this morning Mr. Clay's draft of instruction to Mr. Gallatin upon the Colonial Trade question, I found myself drawn to the consideration of it with a view to the examination of it more historically than I have yet done. I read again Mr. Rufus King's speech upon the passage of the first of our Navigation Acts in 1818, and found some Acts of Parliament having a bearing upon the subject as early as 1805. I began to collect the documents for a laborious task, and even this absorbed nearly the whole morning.

Dr. Watkins called upon me with a letter from D. Trimble,

asking for a copy of my letter to the Legislature of Massachusetts in June, 1808, resigning my seat in the Senate of the U. S., which, he says, he wants to use in his stump-speeches. He says, too, that his opponent abuses me for some vote that he pretends I gave against extending the right of suffrage, and enquires what it means. I examined the journals of the Senate, and found in January, 1808, the bill for extending the right of suffrage in the Mississippi Territory. But I voted for this bill, and against an amendment less favoring the popular right of suffrage, which prevailed at the time; although the principle for which the amendment was substituted has since been established by a law in 1814. Trimble's opponent must speak upon some false statement or misrepresentation of my votes. I gave Watkins a copy of my letter of resignation.

Mr. Tippett wrote me a letter soliciting the appointment of Superintendent of the Penitentiary, and then asked to see me. He remained half an hour descanting upon his admirable qualifications for the place, to which I told him that no appointment would be made for the present. There is no time so ill employed as that of listening to the self-eulogium and importunities of these solicitors for petty offices when there are none to bestow. Their eagerness to obtain a promise, and their propensity to construe every kind word into one, make it necessary to be reserved in conversing with them; and this becomes, in their estimation, chilling frigidity.

9th. In my morning walk around the Capitol Square, I noticed the putting forth of the leaves of some of the trees. It is already late in the season for such observations. They should have been commenced in February, with the shooting of the willow. I have marked the order in which the trees falling under my observation put out their leaves. The variety in their manner of vegetating is so remarkable that I am humiliated by the heedlessness with which I have suffered this process to pass at least fifty times before my eyes without bestowing a thought upon it.

Mr. Southard called to mention two letters he had received from Mr. Robbins, the Senator, and Mr. D. J. Pearce, the member of the House, from Rhode Island; the former urging the

appointment of Mr. Cranston as Navy Agent in that State; the latter recommending that no appointment should be made at present. I thought this most advisable. Mr. Southard also left with me sundry papers from Colonel Henderson, relating to the complaints of Captain Kuhn against him.

General Wool paid me a morning visit. Just at the close of the last session of Congress he received a brevet commission as brigadier-general for ten years' service, with the rank of colonel; and his object now was to claim pay according to his brevet rank, because it is allowed to General Macomb, the Chief Engineer. Wool claims it as Inspector-General, and assigns the arduous nature and value of his services, and the expenses incidental to the performance of them, as the grounds of his claim. I referred him to the War Department, where the decision upon it must be made.

I had some leisure this day, which was absorbed by a volume supplementary to Anderson's History of Commerce, containing statements of the proceedings of the British Government concerning our intercourse with their Colonies after the Peace of 1782, information for which I was upon the lookout.

10th. Observing the process of vegetation upon the trees. The development of the leaves continues. Those of the maples are at their first appearance of a rusty reddish color. Some of them are this day first assuming verdure. The clusters of lilac blossoms in the garden are formed, and begin this day to open.

Mr. Tyler called on me with a remnant of engraved prints of my father and myself, which he wished me to take off his hands. But the prints are both very indifferent, and I declined taking them. Mr. Tyler also solicited some appointment, having been unfortunate in his business and lost much as an endorser.

Mr. Rush introduced Dr. Mease, just arrived from Philadelphia. He has been employed by Mr. Rush to prepare a full memoir upon the cultivation of silk and the silk-worm, and has come to examine the books and documents on the subject already collected under the resolution of the House of Representatives. Mr. Rush had also letters from Norfolk, Virginia, and from Portland, Maine, concerning the interdiction of British vessels from the Colonies, an importation of specie at Norfolk,

and of Jamaica rum from Halifax at Portland. These are forfeitures to be remitted. Mr. Rush afterwards called to enquire if part of the compensation to Dr. Mease for the work he has undertaken might be now paid him; to which I assented.

Mr. D. Brent was here. The books for the Department of State, which Mr. Gallatin had been requested to procure, have arrived. I asked for one of them, but it appeared to have been sent to the bookbinder.

Edward Wyer was here, just returned from a visit to Mr. Monroe, at Oak Hill; says Mr. Monroe labors personally upon his farm, and mentioned much of his conversation, and that of Mrs. Monroe, of Mr. and Mrs. Hay, and of Hortensia.

Dr. Lovell came with his phrenological instruments, and took the measure of my head in its proportions. There is a phrenological society here in correspondence with one at Edinburgh, in Scotland. The Scotch society have sent a Golgotha of their great men to the society here, requesting a return of the like commodity. The society here have therefore taken the measure of twenty heads to send as samples to Scotland, one of which was mine. Chief-Justice Marshall, Messrs. Calhoun, Clay, Barbour, Rush, Southard, Wirt, McLean, Woodbury, Tazewell, McDuffie, Mitchell of Tennessee, Cheves, Webster, Berrien, and Judge Johnson are of the number.

11th. With Mr. Clay I had a final conversation upon the instructions to be given to Mr. Gallatin relating to the question of the British Colonial Trade. He said he had adopted all my suggestions minuted on the draft of his dispatch, excepting an objection to the closing paragraph, which I thought too direct a threat of hostility, and which he finally promised to soften. He also proposed to leave it discretionary with Mr. Gallatin whether to make any overtures for particular reciprocal legislation or not. My inclination was against it. We had also some conversation upon the expediency of confining henceforth appointments to our friends, about which I was averse to giving any public pledge—a point upon which I am much importuned.

12th. Mr. Rush came to mention the result of Dr. Mease's visit. He was with him all day yesterday, and departed this morning on his return to Philadelphia, with many of the doc-

uments and books collected respecting silk and the silk-worm. I spoke again to Mr. Rush respecting the project of procuring seeds and plants from foreign countries which may be usefully naturalized in this country. There was a letter from Mr. Crawford to our Consuls abroad on this subject, but which has produced no result, because it authorized no expense. We discussed this matter at some length, and must return to it again. I thought we might venture upon some small expense to collect certain specific seeds or plants and have them planted in the garden of the Columbian Institute.

13th. I have already been tempted by the prevailing warm weather to bathe in the Potomac, but have been deterred by the catarrh still hanging upon me, and by the warnings of physicians, whose doctrines are not in harmony with my experience. I took, however, for this morning's walk the direction to the river, and visited the rock whence I most frequently go into the river. It is yet adapted to the purpose; but all trace of the old sycamore-tree, which was near it, and blew down the winter before last, is gone. There is yet one standing a little below, but it is undermined with every high tide, and must be soon overthrown. The borders of the river are strewed with dead herring and shad, and the waters are not so high as usual at this season.

The French Minister, the Baron de Mareuil, came at one o'clock, and was introduced by Mr. Clay. He is going upon a tour to the interior of New York, perhaps into Canada, and thence to Boston—intending to return to embark the 1st of July at New York for Havre. He said he was going upon a leave of absence, not knowing whether he should return here or be otherwise disposed of.

I assured him of my good wishes, and that it would give us pleasure to see him here again. And I desired him to assure his Government of the continued earnest desire entertained by us to be upon terms of harmony with France.

He spoke in equal terms of courtesy, and expressed himself grateful for the treatment he had received in this country. These were words of course, and without much cordiality, or more sincerity than there is in the closing salutation of a letter.

Mr. Clay mentioned a dispatch of 26th February received from Mr. Gallatin.

17th. William Lee intimated to me that Mr. Varnum, member of the House from Massachusetts, was a little hurt at not having been sufficiently noticed by me. He some time since married the widow of his cousin, who had resided here, and is yet in the city. I told Lee that it must be the lady who thought herself not sufficiently noticed; and I would bear it in mind. Lee is compiling a book on the culture of the grape and making wine.

Mr. Rush spoke of a letter from Mr. Wirt, the Attorney-General, at Philadelphia, concerning the cases there pending, of E. Thomson's frauds upon the custom-house. The six hundred indictments which Ingersoll had brought forward in the Circuit Court have all been dismissed, by the advice of Mr. Wirt, since a judgment of the Supreme Court here in favor of the Lippincotts; and Mr. Wirt has a fearful misgiving that all the other cases pending will turn out not more favorably to the public. He has sent an agent to procure testimony at New York, which Mr. Rush proposes to approve, and he recommends a prosecution in the State Court for a conspiracy to cheat—which I apprehend would also fail of success.

19th. Mr. Southard had a Richmond Enquirer, in which was an editorial article alluding to his dinner conversation at Fredericksburg, and charging it as an attack from head-quarters upon General Jackson's character. Southard asked if I thought it necessary for him to notice it. I thought not.

Colonel Bomford came to enquire if I had decided the question about the road between the Arsenal and the Penitentiary. I had not seen Mr. Elgar concerning it, but promised to send for him and to give Bomford his answer shortly. He spoke also of the Court-martial trials for the Christmas riot among the cadets at West Point. His son was one of the offenders, and was sentenced to be dismissed, with the privilege of resigning. He asked if I had decided upon the trials. I had not; being unwilling to determine one case until I should have read through all the proceedings, which I have now done. I told him I should decide upon them all in a few days.

He spoke with a sore feeling of the difficulty which has arisen concerning the appointment by Colonel Thayer of a Court of Enquiry, and of the sentence of the Court-martial upon Cadet Berrien, disqualifying him for service in the army of the United States forever. He complained also that there was no proper graduation of punishments at that institution. There is much delicacy in this affair, in which whatever decision I make will be sharply censured.

Lee came with two papers, to which a conversation between him and the Minister from the Netherlands, Bangeman Huygens, gave rise. This Minister had heard that in the original laying out of this city there were lots reserved and assigned for all foreign Ministers whose Governments might be disposed to build upon them houses for their residence. Lee wrote to enquire of the Commissioner of the Public Buildings how was the fact, and now brought Elgar's answer, with a copy of a circular letter, written in 1798, by the Commissioners of the city, to the foreign Ministers then residing in the city, and offering to each a lot for their use to build upon, if they should think proper. It appears from Elgar's letter that the Minister of Portugal only accepted this offer, and that there is a lot upon the President's Square still reserved as belonging to the Government of Portugal, but no house has been built upon it, and there is now no Minister from Portugal residing here. I told Mr. Lee that, if Mr. Huygens was desirous of building, I presumed that a lot might still be assigned to the Government of the Netherlands under the original offer; and he said he would give the papers and refer the Minister to the Secretary of State.

21st. Mr. Southard read me a letter he had received from John Wurtz, a member of the last Congress from Philadelphia, to whom he had enclosed his correspondence with General Jackson about the conversation at the Fredericksburg dinner. Wurtz's opinion of the whole affair is correct and candid, and he thinks, as I did, that Mr. Southard ought not to reply to General Jackson's last letter to him.

Dr. Watkins came, and introduced Mr. John Davis, from Augusta, Maine, who delivered to me several letters from respectable persons in the State recommending him for the

appointment of Collector at Penobscot. I observed it was too late—the appointment having been already made a day or two since. He enquired who it was, and, upon being informed it was a Mr. Gilman, of Hallowell, said it was a very unfortunate appointment, but did not explain himself further. Mr. Davis said he had been in the last Presidential canvass in favor of Mr. Crawford, and among the letters which he brought me was one from William King.

R. Forrest brought me to sign an exequatur for a person named Delgado, as Mexican Vice-Consul at Boston. Mr. Burges called concerning the money which it has been agreed to apply to a Marine Hospital at Providence—for the present five thousand dollars. He thought the Collector of the port, though a very good officer, would not superintend the expenditure of the money so advantageously as the Marine Society, if it should be placed under their direction. I desired him to see the Secretary of the Treasury upon the subject, and said I should readily agree to any arrangement of the matter which he should find to be customary or approve.

24th. I am inclining to resume my enquiries relating to the production and growth of fruit- and forest-trees. Since I first entered upon them last summer, a few books treating of the subject have been procured for the Department of State from London and Paris. I have Loudon's Encyclopædia of Gardening, fourth edition, 1826—an octavo volume of twelve hundred and forty pages; and his Encyclopædia of Agriculture, 1825—a similar volume of twelve hundred and twenty-four pages. And I have this day borrowed three treatises of Du Hamel Du Monceau, upon the Cultivation of Trees, and the Uses and Treatment of Wood, which have been procured at my request. I find, upon consulting them, that there are two others wanting to complete his entire work upon the forests. Looking into these books, I find a wide field opened before me, which I cannot expect the remnant of life allotted to me will afford me time to explore, and at present the time that I can bestow upon it is so very little, and cut up with such incessant interruptions, that I fear the result of my pursuit will plunge me into inextricable confusion of mind, without contributing to

any useful end. I brought home yesterday from the race-ground a twig covered with white blossoms, which upon examination I found to be the dogwood—Cornus Florida. I had seen it in blossom about a week at the Capitol Garden without knowing it. I found the description and print of it in Michaux's North American Sylva, vol. i. p. 255, and in Bigelow's Medical Botany, vol. ii. p. 73; and another dogwood in Bigelow, vol. i. p. 93. This morning also, with Antoine, I planted four rows of large Pennsylvania walnuts, nine Quincy walnuts, and eight hazel-nuts in one row, and three Peters chestnuts, with the rest of the row in apple-seeds, in a different part of the garden from that where I planted last November. That bed is now covering itself with weeds, but there was not a symptom of any of my nuts having vegetated. Upon digging, however, Antoine found one of the Pennsylvania walnuts had put forth a shoot, which will probably show itself above ground in June—which gives me hopes that others will appear also. The time that I can snatch for this fantastical humor is now the only hour

> Not wanting power to mitigate and swage
> With solemn touches troubled thoughts, and chase
> Anguish, and doubt, and fear, and sorrow, and pain.

I wrote a short answer to a letter from my old friend William Plumer, of Epping, New Hampshire.

26th. Dr. Watkins had a paper containing a printed list of persons in many of the States of the Union named as my friends and with whom correspondence is invited. It was dated Washington City, 5th March, 1827; but he received it postmarked at Cincinnati, and he thought it an indiscreet publication. He also showed me a letter from J. Binns, at Philadelphia, with a printed circular. The letter complains that the Administration does not support its friends, and intimates that sacrifices of time and of money must be made. I have observed the tendency of our electioneering to venality, and shall not encourage it. There is much money expended by the adversaries to the Administration, and it runs chiefly in the channels of the press. They work by slander to vitiate the public opinion, and pay for defamation, to receive their reward in votes.

28th. Mr. Clay came with a letter from Mr. Noble, the Senator, and Mr. Test, late member of the House, complaining that they were informed the Commissioners of the General Land Office had determined that no surveys of public lands in the State of Indiana could be made before the next session of Congress, because no specific appropriation for it was made at the last session. They insist that there was an appropriation, which, although not specific, was intended for that object. I received also a letter from them of the same purport.

Mr. Clay had also a letter from Enoch Lincoln, Governor of the State of Maine, upon the question of the boundary of that State, now in negotiation with Great Britain. Its temper is querulous, testy, and suspicious. He insists upon a demand for copies of all the documents relating to the negotiation; comments censoriously upon passages of Mr. Gallatin's dispatches which have been communicated to him; denies the right of the General Government to cede any part of a sovereign and independent State, and dwells much upon the right of the State to call upon the General Government for protection, protesting at the same time against any compromise at the expense of the State.

The tendency of all this is to multiply the difficulties of the negotiation, and promises no good to the State; but if the State government were much better humored, and even disposed to a compromise of the question, there is little prospect that it could now be settled upon reasonable terms.

30th. Mr. Graham came with a letter from Mr. Hendricks, one of the Senators from Indiana, complaining of the order to the Surveyor-General to supersede all surveys in that State, because no specific appropriation was made for them at the last session of Congress. There was indeed an appropriation generally for surveys, of twenty thousand dollars, but it was made upon estimates not including these surveys, and before the Indian treaty by which the lands were acquired had been ratified. The omission to make a subsequent additional appropriation was an oversight which the Indiana members now feel will be imputable specially to them, and hence their great anxiety upon the subject. Mr. Graham, however, observed

that a part of the appropriation actually made might be applied to the Indiana surveys, at the hazard of having the fund fall short for those on the estimate of which it was given; and perhaps some might be made in the anticipated confidence of an appropriation at the next session of Congress, and I agreed that he should instruct the Surveyor-General accordingly.

Mr. Rush came with a petition from Boston for the remission of a forfeiture of a British vessel from Bermuda, which has entered the port since the proclamation of 17th March was issued. This vessel was chartered at Bermuda to bring home the cargo of an American vessel which had entered there in distress; sailed from Bermuda the 7th of this month, before the existence of the proclamation was known there, and the property belongs to a citizen of the United States. I agreed with Mr. Rush that this was a case for the remission of the forfeiture.

I was employed much of the day in preparing decisions upon the trials of nineteen cadets at West Point, eleven of whom the Court-martial had sentenced to be dismissed. In the examination of these cases several questions of importance have occurred to me, requiring much reflection, and upon which I have not been able to come to a satisfactory conclusion. These difficulties have delayed my decision upon the trials for several weeks.

Day. The average of my rising hour through the month has been five; immediately after which I take a walk of an hour and a quarter. I then read an hour and write an hour, and often waste an hour upon some trifle of idleness. At nine we breakfast, which, with the morning newspaper, soaks up from one to two hours, and thence till five in the afternoon I am engaged with the mails from South and North, the heads of Departments, with business and voluminous papers and visitors —strangers, petitioners, and officers—so that I can never apply with certainty a quarter of an hour together to any one pursuit. At five we dine, and I take two hours or more of leisure and relaxation. From seven till ten or eleven I apply to the arrears of my diary index, and to writing upon the Colonial Trade question; then retire for the night. This life is regular and very little varied. My health has been the whole month

bad. My anticipations for the two succeeding years call for more than Stoic fortitude. As life draws towards its close it loses value philosophically every day, but physically becomes more precious. For all that is past, gratitude is the only sentiment that should fill my soul, as the future should be allotted to humble hope, to firm reliance, and to resignation.

May 1st. Governor Barbour called, having just returned from his visit to Virginia. We had some conversation upon several subjects in the business of the War Department during his absence. The order from the Engineer Department of 17th August, 1826, introducing several new and highly-important regulations at the Military Academy at West Point, and which has given rise to several difficult questions, was adopted in my absence last summer, and never even communicated to me. I have doubts of its legality on several points besides that upon which the officers appointed by the Superintendent for a Court of Enquiry refused to act. I learned from Governor Barbour that the real object of the order was to limit the punishments to which the cadets should be liable exclusively to the penalties enumerated in the order. And, he said, the order was issued at the solicitation of Colonel Thayer himself. One consequence of this has been that several of the sentences of this Court-martial must be disapproved as not included in the list of enumerated penalties, and thus the offenders will escape punishment altogether, or the sentences must be approved to the disregard of the order itself.

Governor Barbour thought that such punishments as suspension from the Academy or from pay and emoluments were objectionable in principle, as they took from the cadet the benefit of education for which he is there; and he thought degradation from rank might be inflicted by the Superintendent at his discretion, it being the mere withdrawal of a distinction granted at his discretion.

But the Articles of War give in many cases an indefinite and discretionary power to Courts-martial to inflict any punishment they think proper; and an Act of Congress declares that the cadets shall be subject to the Articles of War. My question, then, is, whether a mere Executive order can prescribe to

Courts-martial a very small list of penalties as the only ones to which they shall sentence cadets, and thereby restrict the indefinite power given them by the Articles of War.

Governor Barbour said he would submit the question to the Attorney-General for his opinion, and would suggest to Colonel Thayer the propriety of a revisal of the order of 17th August, 1826.

Messrs. Thomas, Hoffman, and Macauley are a committee on behalf of the Baltimore and Ohio Railroad Company to ascertain how far, and upon what terms, the assistance of the General Government can be obtained in furnishing detachments from the topographical engineers to make the necessary surveys of the route of the proposed road. They first wrote me a letter announcing their appointment and its object, and called upon me at once.

I assured them of my earnest good wishes for the success of their undertaking, and of my disposition to give them every aid in the power of the Executive Government to bestow, referring them for particulars to the Secretary of War, who, I informed them, was now in the city, and with whom I advised them to confer.

Mr. Mercer, the member of Congress from Loudoun County, afterwards called on me, deeply anxious for the fate of his projected Chesapeake and Ohio Canal, which he yet flatters himself will not be defeated by this railway, though the two undertakings must interfere with each other. I congratulated Mercer upon his re-election to Congress, and he declared himself gratified with the re-election of Mr. Newton and mortified at the failure of Mr. Powell.

Commodore Chauncey called, being on his way from New York to accompany the Commissioners of the Navy to Norfolk, to make arrangements for commencing the work of a dry-dock at that place.

Mr. Rush brought me a statement of the revenue received at the Treasury for the first quarter of this year, so far as the returns have come in. It is upwards of five millions and a half —about two hundred and thirty thousand dollars less than the corresponding quarter of the last year. The falling off is less

than he had recently anticipated, but promises a million less for the revenue of the whole year than we had estimated at the close of the last year. I spoke to Mr. Rush of measures for obtaining information, political and commercial, from the British Colonies at the north of this continent and in the West Indies. I had some days since spoken to Mr. Clay on the same subject, but there is some difficulty in making the arrangement.

3d. Mr. Rush called, and showed me a letter from Mr. Monroe to C. J. Ingersoll, in answer to one he had written him upon the result of the trial of the libel suit of L. Harris against W. D. Lewis. Mr. Monroe speaks also in the same letter of his own pecuniary embarrassments, and acknowledges himself to have been under some obligations to Ingersoll in reference to them. Ingersoll had sent the letter to Mr. Rush, with a request that it might be returned to him, and Mr. Rush said he supposed Ingersoll wished it might be shown to me. Ingersoll says also that he believes we shall gain the tea causes. Mr. Rush received afterwards and sent me a letter from Mr. Wirt, expressing the same expectation. But I do not believe we shall. My experience for many years upon the result of trials at law is, we have no practical judicial remedy for the public against fraud. The tea cheaters will escape, as the bank cheaters have escaped.

Mr. Clay was here, and spoke of the letter from Governor Enoch Lincoln, of Maine, that he is to answer. He said he felt some repugnance at furnishing the copies of the papers which he unreasonably requires. I thought, as there was little prospect of success to the negotiation, the furnishing of copies could not prove injurious. Mr. Clay said he would prepare a draft of a letter for consideration. He mentioned also the claims of our citizens upon the French Government, and thought it would be necessary to give some fresh instructions to Mr. Brown, though he expected no success unless we would allow them some indemnity upon their Louisiana Convention claim. I said I could not well agree to that. He will, however, prepare an instruction to Mr. Brown.

5th. Mr. Rush brought a draft of a letter to Dr. Mease upon the subject of enquiries relating to the natural history and cultivation of useful foreign plants which might be advantage-

ously introduced into this country. This is a subject which will require long and persevering attention and a systematic pursuit, the issue of which, after all, must be doubtful. Mr. Rush had already made some enquiries at Canton, in China, not concerning foreign plants, but of varieties of those which we have, as garden vegetables and fruits, and particularly the cotton-plant. He read me an answer received from Canton, and one from Calcutta, neither of which is encouraging. They state that all the fruits and garden-plants in use there are far inferior to the same kind of vegetables in Europe. But Canton is on the tropic, and Calcutta nearly so, and could not be expected to produce fruits to thrive in our northern climates.

Mr. Clay and Mr. Southard were here together. Clay had an insolent letter from a man at Ithaca, New York, named Stockholm, who, three or four years since, wrote me several letters professing to be an ardent partisan of my election to the President, and wanted an office. He now complains that I neglect and sacrifice my friends, and thinks General Jackson's qualifications and prospects for the Presidency greatly improved. Mr. Clay mentioned his wish to go to Kentucky at the close of this month, to return here in July, and to be absent again a few weeks in August and September. Mr. Southard had a letter from Commodore Hull declining to accept the appointment of a Commissioner of the Navy, and asking for a furlough. Mr. Southard thought he could be persuaded to accept the office of Commissioner—which I somewhat doubted.

6th. v. Sun rose 5.2.

Heard Mr. Little from 1 John ii. 15: "Love not the world, neither the things that are in the world." The comment upon this text is more appropriate to other sects of Christianity than to that which Mr. Little sustains. Enjoyment of the world in the practice of virtue is congenial to the Unitarian doctrine. Use the world as not abusing it, is the precept of that faith.

After a visit from General Wool, just returned from attending a Court of Enquiry at Harper's Ferry, I heard Mr. Campbell at Mr. Baker's. His text was from Revelation ii. 16: "Repent, or else I will come unto thee quickly." Mr. Campbell dwelt largely and earnestly upon the universal depravity of mankind.

It is matter of curious speculation to me how men of good understanding and reasoning faculties can be drilled into the sincere belief of these absurdities. The Scripture says that the heart is deceitful and desperately wicked. This is certainly true, and is a profound observation upon the human character. But the language is figurative. By the *heart* is meant in this passage the selfish passions of man. But there is also in man a spirit, and the inspiration of the Almighty giveth him understanding. It is the duty of man to discover the vicious propensities and deceits of his heart, to control them. This, with the grace of God, a large portion of the human race in Christian lands do accomplish. It seems, therefore, to be worse than useless for preachers to declare that mankind are universally depraved. It takes from honest integrity all its honors; it degrades men in their own estimation.

Mr. Campbell read a hymn, which declared that *we* were more base and brutish than the beasts—a spiritual song of Isaac Watts. What is the meaning of this? If Watts had said this on a weekday to any one of his parishioners, would he not have knocked him down? And how can that be taught as a solemn truth of religion, applicable to all mankind, which, if said at any other time to any one individual, would be punishable as slander?

10th. Mr. Southard brought and read me letters received from Captain Woolsey, at Pensacola, from Captain Biddle, on the coast of Brazil, and from Commodore Rodgers, at Malta. Woolsey, in a private letter, complains that Captain David Porter, now in the Mexican service, and having taken refuge in a frigate at Key West, is using that place as a station of annoyance to the Spanish commerce, and abusing its neutrality, obviously for the purpose of making misunderstanding between the United States and Spain. Biddle was in correspondence with Brazilian blockading officers, and Rodgers, who had before reported sickness in the squadron, now announces health as generally prevailing.

I spoke to Mr. Southard of my desire to obtain information of the natural history and cultivation of foreign plants, fruits, and forest-trees of special usefulness, with a view to introduce

the cultivation of them into this country; and suggested the expediency of a circular letter of instruction to the captains of our public ships who visit distant parts of the world, to lend their assistance in co-operation with the Consuls to effect that object. He said he would be thinking of it, and would converse with Mr. Rush concerning it.

11th. I lose my confidence both in morning baths and walks for the preservation of my health. But what shall take their place? Mr. Graham came with a proclamation to be signed for the sale of lands in Missouri. He had also an answer from the Registrar at the office where an erroneous patent issued. The man to whom it was issued has sold the land, and answers with insolence the demand to deliver up his patent. The Registrar has published a notification that the patent was erroneously issued, and Mr. Graham will consult the Attorney-General with regard to further proceedings.

Mr. Southard came with a voluminous bundle of papers—proceedings of the Court of Enquiry on the complaints of Captain Kuhn against Colonel Henderson and Lieutenant Hall. He had not read them, and proposed postponing the discharge of the Court till he should have examined the report; to which I agreed. He thought no further measures would be necessary against Colonel Henderson, but that Hall must probably be tried by a Court-martial.

Governor Barbour called, somewhat anxious concerning the appointment of a Collector at Norfolk, and in favor of Moses Myers.

Edward Wyer came, with much nothingness to tell. There is an interlude of Molière's called Les Fâcheux. We have no synonymous term in our language.

Mr. Clay spoke of dispatches received from Condy Raguet, who was Chargé d'Affaires at Rio de Janeiro, but who has quarrelled with the Government there, and demanded his passports, which have been furnished him, and he is coming home. He appears to have been too hasty in his proceedings, and has made us much trouble, from which we can derive neither credit nor profit. I returned to Mr. Clay the private letters that he had lent me from General Porter and others.

Captain Hitchcock came, to explain to me the grounds upon which he and two other officers, appointed by Colonel Thayer as a Court of Enquiry at West Point, had refused to act. They considered the Court as illegally convened, it being only by order of the Superintendent—the Ninety-second Article of War vesting in the President alone the power of ordering Courts of Enquiry, unless demanded by the accused. The Attorney-General and the Secretary of War thought that, constructively, the order from the War Department was an order from the President, and that an order by a general regulation was equivalent to a special order in each separate case. He said that, notwithstanding this opinion of the Secretary of War and Attorney-General, the Court persisted in the opinion that they were not legally convened, and still declined proceeding; in consequence of which they had first been put under arrest, and then ordered to join their regiments. He said he was desirous the question might be fully considered, that others might avoid the same inconvenience, and that of all the officers at the Point there was only one who doubted the illegality of the order.

I told him that I had the subject under deliberate consideration.

Mrs. Mills is a sister of a wretched man named De Vaughn, under sentence of death at Alexandria for an atrocious murder. She came in a state of extreme agitation and distress to solicit a commutation of his punishment. Her tears and sobs and supplications deeply affected me. Her story, told in untutored language, was itself moving. I scarcely dare think of it. I was immeasurably tempted to say something to her which would have given her a hope that he might be pardoned. Yet I felt that I ought not. There is nothing to palliate the crime, and almost everything to excite sympathy for his suffering. She says he is seventy-eight years of age—one of a family of ten brothers and sisters, all in respectable stations of life—almost all with families of children. He himself has an estimable wife and many children. More than a hundred persons, relatives, as brothers, sisters, and their descendants, will suffer torture by his execution. One sister has taken to her bed, and she is sure

will die. She herself since his sentence has not had, day or night, a moment's peace of mind. His head is white as snow —hoary with age. It is but a short time that could be given him, and must he die?—must he be hung?

All this and more I heard, and, while it wrung my heart, I resisted every impulse to comfort her with hope. I listened kindly to all she had to say, and told her that my duty was of the most painful kind; that I felt deeply for her distress and that of her relatives, but that I could not talk with her upon the matter of which she spoke; that it would have been extremely grateful to me if I could have afforded her relief, but it was not in my power. Mr. Lee came in, and she left me, with thanks for the kindness I had shown her.

12th. Mr. Van Buren paid me a morning visit; he is on his return from a tour through Virginia, North and South Carolina, and Georgia, with C. C. Cambreleng, since the close of the session of Congress. They are generally understood to have been electioneering, and Van Buren is now the great electioneering manager for General Jackson, as he was before the last election for Mr. Crawford. He is now acting over the part in the affairs of the Union which Aaron Burr performed in 1799 and 1800; and there is much resemblance of character, manners, and even person, between the two men. Van Buren, however, has improved as much in the art of electioneering upon Burr as the State of New York has grown in relative strength and importance in the Union. Van Buren has now every prospect of success in his present movements, and he will avoid the rock upon which Burr afterwards split. His discourse with me this day was upon the late Mr. Rufus King, his history and character, and upon Mr. Monroe and his affairs; also upon the Petersburg horse-races, which he has been attending. He proceeds on his journey homewards to-morrow, and, on Mr. Rush's coming in, took leave.

Mr. Clay brought the correspondence of Mr. Condy Raguet with the Brazilian Minister of Foreign Affairs, which terminated in his demanding and obtaining his passports. We concurred in the opinion that Raguet could not be sustained in the proceeding, and his conduct there has long been deficient in temper

and discretion. Mr. Clay thinks it will be advisable to appoint a Minister Plenipotentiary to Brazil, with a view to the negotiation of a treaty of commerce. I incline to the same opinion, but believe it will be necessary to reflect upon the subject, and to prepare for a nomination to the Senate at their next session.

13th. Afternoon at Mr. Baker's. Heard Mr. , of Alexandria, from John iii. 16: "For God so loved the world, that he gave his only begotten Son, that whosoever believeth in Him should not perish, but have everlasting life." This person's manner is pleasing to me, because there is great sincerity in its vehemence. He entangled himself in some doctrine of the peculiar mode of filiation of Jesus Christ. It seemed as if he was anxious to extricate the creed of the Trinity from one of its most flagrant absurdities as it shows itself to human reason. His argument was that Christ was God; that He was also the Son of God; but not as God. His filiation or sonship was confined to his incarnate state. But the idea to be annexed to the terms Father and Son, as applied to God, he attempted not, nor will any Trinitarian ever attempt, to define. I thought the discourse was chiefly preached for my special benefit; but it was wheat sown by the wayside. The divinity of Christ was mentioned as indispensable to sustain the atonement, and without the atonement there was no way of salvation. I had already often heard this before, and lately in private conference with Mr. Baker. I understand it, however, none the better. My own health is yet drooping. The inflammation with which I suffered so much last summer returns with increased severity. If wishing could end it, my complaints would soon be relieved; but I must await my allotted time. My own career is closed. My hopes, such as are left me, are centred upon my children. My capacity to write fails me from day to day. My duties are to prepare for the end with a grateful heart and unwavering mind.

19th. Governor Barbour came, and took Mr. T. M. Randolph's letter announcing the discontinuance, by order of the Governor of Georgia, of the surveys for running the line between that State and Florida. Mr. Randolph is to be recalled,

and directed to ascertain the cause of the suspension of the work by the Governor of Georgia. Governor Barbour mentioned also an application by Mr. Force, publisher of the National Journal, for a copy of the order given by General Jackson in January, 1815, for the execution of six militia-men as mutineers. This is one of the charges urged against him in the electioneering campaign. Some time since, a meeting of General Jackson's friends, at Nashville, appointed a standing committee to defend his character and reputation against slander. They have published a vindication of his conduct on this occasion, signed John Overton, Chairman of the Jackson Committee. They have given a copy of the order for the trial of the militia-men, some extracts from the proceedings of the Court-martial, certified by Andrew J. Donelson, and an affidavit certificate of Philip Pipkin, colonel of the regiment to which the mutineers belonged. They were shot for mutiny by sentence of a Court-martial, and the committee and Colonel Pipkin urge that General Jackson had nothing to do in the affair but to order the Court-martial. The order from General Jackson confirming the sentence of the Court is at the War Department, and Force applies for a copy of it for publication in the Journal. I observed to Governor Barbour that to furnish this document at the application of a printer would be perhaps a departure from the general rule of the Department, and would be considered as a measure of hostility to General Jackson. I thought it should, therefore, be declined.

23d. Governor Barbour informed me that Duff Green, editor of the Telegraph, had applied for a copy of General Jackson's order upon the proceedings of the Court-martial on the trial of the six militia-men who were executed for mutiny, and said he had seen in a Kentucky paper that General Jackson had nothing to do with it, but that the execution had been ordered by General Winchester. The order of General Jackson Governor Barbour thought it might be proper to give now, both to Green and to Force, who had applied for it before. I still thought there would be inconvenience in furnishing documents from public offices at the mere application of editors of newspapers; but I left the decision to his discretion. P. Force called

to say that Mr. McLean, the Postmaster-General, was desirous of publishing in the National Journal an article in answer to a published letter addressed to him by J. Binns in the Democratic Press. I told him I could have no objection to this. There is an opinion abroad that the Postmaster-General is hostile to the Administration, which he, however, very earnestly disclaims. His conduct is ambiguous, and he is much devoted to Mr. Calhoun, bearing also no friendship to Mr. Clay. This position and these feelings have prompted him to acts adverse in their effects to the Administration, and give countenance to the prevailing opinion of his hostility to it. As he is an able and efficient officer, I have made every allowance for the peculiarity of his situation, and have not believed him wilfully treacherous.

24th. Mr. Slade came to make some enquiries respecting the transmission heretofore of the annual pamphlet copies of the laws of the United States, from the Department of State, to the Governors of the several States. He wants the facts to rejoin upon the reply of C. P. Van Ness, the disappointed candidate for the Senate of the United States from Vermont, who, after fawning professions of preference for me and of attachment to the Administration to obtain the election, and failing in it, published an address to the people, declaring himself converted to the cause of General Jackson for the next Presidential election, and charging *me* with having interfered with the Legislature of Vermont against his election as Senator. This was utterly without foundation, and his evidence is so remote from proof that he mixes about four parts of his own suspicions with one part of fact to sustain his charge. Being himself a deep intriguer, and knowing the power of "trifles light as air" to the jealous, he made an argument of several columns to prove my interference against him, because, just before the election, Mr. Buck, a member of the House of Representatives of Vermont, received a letter from Mr. John Bailey expressing his wish that Mr. Seymour might be re-elected, and in a postscript to the same letter mentioned that I was to leave Boston that day for Washington. This letter was shown by Buck to several members of the Legislature, and, Van Ness says, changed the votes of a number sufficient to defeat his election, which it very

probably did; and so he, to revenge himself, charges it upon me as a personal interference against him. Bailey published an answer, denying that he had ever had any conversation with me concerning that Senatorial election in Vermont when he wrote his letter to Buck, and otherwise chastising Van Ness, to which he has replied by a publication of eight newspaper columns, which I have not seen.

Another of Van Ness's imputations is, because Mr. Slade was last summer employed to carry to Vermont and other Eastern States the laws of the preceding session of Congress. Slade was in the State shortly before the election, and perhaps freely expressed his opinions about Van Ness and in favor of Seymour. Slade is a clerk in the Department of State, and was sent by Mr. Clay. Therefore I, who was at Quincy and knew nothing of the arrangement, interfered in this election. So reasons C. P. Van Ness. Slade also answered Van Ness, utterly denying his imputations and almost all his statements of fact. To him also Van Ness has replied, and Slade intends to rejoin. Van Ness makes me his object of attack to give himself importance, and, finding all his chances desperate under my standard, recommends himself to the adversary by a venomous shaft at the leader whom he deserts.

Mr. Clay mentioned an interview which he had yesterday with the Brazilian Chargé d'Affaires, Rebello, upon Mr. Raguet's demand of his passports at Rio de Janeiro, and the affair of the Spark. Rebello declares that his Government are earnestly desirous of being upon the best terms with that of the United States, and will be happy to receive another Minister in the place of Mr. Raguet. They offer explanations upon the affair of the Spark, and seem to admit that they have some reparation to make. Mr. Clay has requested him to reduce his observations into the form of a note—which he has promised; and Mr. Clay proposed a meeting of the members of the Administration upon this, and also upon an instruction that he has prepared for Mr. Brown, at Paris, relating to our claims upon the French Government.

I agreed to this meeting for Saturday at one o'clock.

Mr. Clay mentioned that he had heard of the arrival of his son

at Vera Cruz. He was the bearer of the conditionally ratified treaty. Mr. Clay thinks Mr. Poinsett has indiscreetly connected himself with party movements and political Masonry in Mexico.

Mr. McLean, the Postmaster-General, introduced to me a Mr. Davis, from Cincinnati, Ohio. He also spoke of Binns's published letter to him. He proposes to answer it by an article in the National Journal. Binns repeats the old complaint of his letter to Mr. Markley, which was delayed by an accident at the post-office here, and some improper conduct, of a nature altogether private, of Richard Bache, the Philadelphia Postmaster, last summer, at Cape May. To this he now adds a complaint against the Postmaster at Carlisle, founded, however, much upon suspicion, of his having furnished a list of the names of persons who received the Democratic Press from that post-office to a person, who prevailed upon six of them to withdraw their subscriptions at once.

Mr. McLean said he would make enquiry into that affair, and, if the fact should turn out as surmised by Binns, would dismiss this Postmaster.

Captain Hull called to take leave, going to-morrow for New York on a furlough. He showed me two letters to him from Paul Hamilton, Secretary of the Navy, dated 26th and 27th of July, 1812, the first of which ordered him to deliver up the frigate Constitution to Captain Bainbridge. This letter he accidentally did not receive before he sailed on the cruise upon which he took the Guerriere.

Mr. Sparks came to take leave, going to-morrow for Boston. I had a conversation with him on the plan upon which he is to prepare for publication the correspondence of the old Congress.

Watkins told me also that he had been informed that a hostile use against me would soon be made of a letter written by me to a person in the State of New York, which he described so that I knew it must be the letter which I lately wrote to Elkanah Watson. I got my letter-book and read him the letter, and asked him what could be made of that. He said, nothing, when the occasion of its being written was explained.

25th. Mr. Brent came to enquire for one or two volumes of the correspondence to be prepared for publication by Mr.

Sparks. He afterwards sent me, at my request, the first volume of the reports of Mr. Jefferson while Secretary of State, as well to the two Houses of Congress as to President Washington; also the first volume of A. Hamilton's works, published at New York in 1810, containing his principal reports. Among them is an argument submitted to the President on the constitutionality of a national bank, in answer to arguments against it which had been written by the Secretary of State, T. Jefferson, and the Attorney-General, Edmund Randolph. But Mr. Jefferson's argument is not in the volumes of his reports recorded in the Department of State, nor is the report of which I found last summer among my father's papers a copy, wherein he maintains that upon a nomination to a mission abroad the Senate had no constitutional right to decide upon the expediency of the mission.

26th. Cabinet meeting from one to four. Two subjects under consideration. First, the state of affairs with Brazil. Mr. Clay has not yet received the expected written communication from Mr. Rebello.

There are three questions relative to the re-establishment of our mission to Rio de Janeiro: first, whether any person shall be sent; second, whether a Chargé d'Affaires or Minister Plenipotentiary; and, third, at what time.

There was much desultory discussion, and a final conclusion to defer the further consideration of the subject till Mr. Rebello's note shall have been received. If, with a view to the negotiation of a treaty of commerce, a Minister Plenipotentiary should be sent, that measure must be postponed until the meeting of Congress; and it is to be weighed whether a renewal of the mission should be made without a previous assurance from the Brazilian Government that reparation shall be made for the seizure of the Spark, and whether that case shall be discriminated from other causes of complaint, or a pledge required for satisfaction upon them all.

There was some allusion to the proceedings of this Government and the British in the affair of the Chesapeake and the Leopard, and also to the transactions with the Russian Government in the case of the Pearl. The adjustment of differences of

this description between nations is a matter of great delicacy, and in the progress of which a single false step leads to disastrous and humiliating consequences.

The second subject of deliberation to the Cabinet was a letter of instructions to Mr. Brown, our Minister at Paris, concerning the claims of indemnity of many citizens of the United States upon the French Government for wrongs and spoliations committed during the revolutionary wars. The complaints are of long standing, and for injuries to a very large amount. The French Government have refused to discuss them, unless in connection with a claim which they have raised of special favors to French navigation in Louisiana under the Treaty of Cession. This claim rests upon a construction of the eighth article of the treaty, which we have rejected as inadmissible. Mr. Clay's letter of instruction now directed Mr. Brown to renew the demand of indemnity for the claims of our citizens, and to offer to refer the question upon the construction of the Louisiana Treaty to the arbitration of a friendly sovereign, or of a Commission of foreigners, to be agreed upon between the two Governments; and if the French Government should agree to refer the Louisiana question upon condition that the claims should also be referred to the same arbitration, Mr. Brown was instructed to agree to it.

Mr. Rush objected to this reference of the claims, as did Governor Barbour—I thought, with good reason. I suggested that the claimants themselves might make it a ground of future claim against this Government.

Mr. Clay thought the prospects of the claimants would be improved by submission to an arbitration, but agreed to modify his letter of instruction to Mr. Brown so that the proposal of arbitration should be confined to the question upon the Louisiana Convention. I have little confidence in anything that we can now do for the attainment of indemnity for these claims, and believe that the only benefit to be expected from this instruction will be to show that they are not abandoned by the Government, and to serve as the foundation of a report concerning them to Congress at the next session.

28th. Dr. Watkins came with a letter to him from J. Binns,

of Philadelphia, mentioning the letter addressed to the Postmaster-General and published last week in the Democratic Press. He says that in consequence of that publication R. Bache, the Postmaster at Philadelphia, has committed a violent assault and battery upon his person; that he should take no notice of it in his paper, but he has written a letter to the Postmaster-General, of which he enclosed to Watkins a copy, which he might show to me. But this enclosed letter was sealed, and, being addressed to Mr. McLean, Watkins scrupled his right to open it; and I thought he would do well to wait for express authority to that purpose.

Mr. Graham brought me five proclamations for sales of lands at various offices, which I signed. General Parker came again for a decision, by way of appeal from the accounting officers, upon his claims for double rations and other allowances while he was Adjutant- and Inspector-General. He claims upon the ground of the allowances having been made to other officers having no better pretensions than he. But Mr. Calhoun, while Secretary of War, decided in their favor and decided against him. I told General Parker that I doubted the legality of Mr. Calhoun's favorable decision, and must decline considering it as a precedent which would justify me in issuing a special order to extend the allowances to him against Mr. Calhoun's decision, and observed that I had declined sanctioning the allowances granted by Mr. Calhoun by assenting to the arrearages of the same allowances claimed by the officers to whom they were made.

29th. Mr. Brent brought a petition from Richard Prichard, master of the British brig Gomer, arrived at New York with a number of passengers exceeding the allowance by our statute, though within the rule of the Act of Parliament. The vessel has been seized for the forfeiture and the captain sued for the penalty. I ordered a remission of both upon payment of the costs. Mr. Rush was here with many papers, among them numerous certificates and depositions, forwarded by the Collector of Elizabeth City, against Daniel Long, the dismissed Inspector at Elizabeth City. Mr. Dorsey, the member of the House of Representatives from Maryland, came in, and abridged Mr.

Rush's conversation with me. General politics and electioneering topics appear to be almost the only materials of interesting discourse to men in the public service. There are in several of the States at this time, and Maryland is one of them, meetings and counter-meetings, committees of correspondence, delegations and addresses against and for the Administration, and thousands of persons occupied with little else than to work up the passions of the people preparatory to the Presidential election, still more than eighteen months distant.

Mr. Clay mentioned that Mr. Rebello, the Brazilian Chargé d'Affaires, had again been with him and expressed his willingness to write a note giving assurance of the friendly disposition of his Government, and their readiness, in the event of the appointment of a new Minister, to adjust all the matters of complaint which had been preferred against them conformably to the laws of nations. Mr. Clay has requested him, before he sends the note definitively, to let him see the draft of it; to which he agreed. Mr. Clay said he had also in preparation instructions to H. Wheaton as Chargé d'Affaires to Denmark.

There came about five this afternoon a person named Thomas, a messenger to the Executive Council of Maryland, with a demand from the Governor of the State for the delivery up of a person named Simms, indicted there by a grand jury for horse-stealing. Simms has already been apprehended, and lodged in jail here. The messenger wished to be dispatched immediately; but I informed him the order to the Marshal to deliver up the man must be issued from the Department of State, and directed him to call for it there to-morrow morning.

30th. Dr. Watkins came with the copy of the letter from J. Binns to the Postmaster-General, and one from Binns asking him to open it. The letter to the Postmaster-General was a mere statement of facts of the assault and battery committed on Binns by R. Bache. Watkins showed me also letters from D. Trimble, of Kentucky, and D. McArthur and W. McLean, members of the Eighteenth Congress from Ohio. With Trimble's was a pamphlet published by his opponent at the election for Congress, full of all the slander upon me he has been able to collect. The letters from McArthur and W. McLean are in

refutation of another slander, circulated by General Jackson himself. While Watkins was with me, Mr. McLean, the Postmaster-General, came in, and Watkins went away. Mr. McLean showed me several letters concerning the competition for the office of postmaster at Newport, Rhode Island, between Mr. Cranston and Mr. Mason. He thought the preponderance was in favor of Cranston, in which opinion I concurred. Mr. McLean also showed me Binns's letter to him, of which Dr. Watkins had the copy. He still thought the conduct of Bache was not of a nature to be officially noticed by him. I thought it might deserve further consideration—as an outrage committed by an officer of the United States upon a citizen for the exercise of the freedom of the press under the responsibility of his name, and upon a magistrate in the execution of his office as an alderman, under the authority of the State. But as the civil tribunals of Pennsylvania have taken cognizance of the case, and Bache had been bound over to be amenable to presentment by a grand jury, I agreed that it would be proper to defer any decision upon what it may be proper to do here till after the adjudication of the case in the State Court.

Mr. Rush had an answer from Mr. Jones, the Collector at Philadelphia, to his letter of last Saturday, concerning the Delaware and Chesapeake Canal. Mr. Jones is not a stockholder in the canal, and therefore, according to Mr. Rush's construction of the law, cannot act as proxy to the Secretary of the Treasury at the election of directors. But he recommends a Mr. S. Wetherell for that trust, a person of very respectable character. Mr. Jones gives, in a private letter, some information respecting the progress of the works and prospects of the canal, which are far from encouraging. Mr. Rush is to send immediately the proxy to Mr. Wetherell, and, as the choice of directors is to be made next Monday, he must have a discretionary authority to vote for whom he shall judge best. He is, however, to be advised in a private letter of the existing complaints of mismanagement by the present directors, and requested to act accordingly.

Dr. Todson came to say he was informed a vacancy had occurred of a clerkship in the War Department, and to solicit

my aid that he might obtain it. I referred him to the Secretary of War.

Mr. Clay was here with the note from Mr. Rebello urging the appointment of a Minister to Brazil, and promising in that event a fair adjustment of our complaints. I thought the note might be accepted, with some remarks upon two or three passages in it. Mr. Clay sent me in the evening the draft of a reply to it.

31st. Mr. Matthews, the clergyman of the Roman Catholic church, and Mr. Weightman, the Mayor of the city, came as a committee from the proprietors of the Washington Library, to say that they were desirous of erecting a small brick building in which to keep their books, and to enquire if I could appropriate to their use a small portion of the public land in the city for that purpose.

I assured them of my disposition to gratify the wish of the society as much as might be in my power, and took their proposal for consideration; but expressed doubts with respect to the legal authority of the President thus to dispose of the public land. They mentioned two cases somewhat similar in which former Presidents had partially exercised this authority—Mr. Jefferson, who had declined giving the land, but had authorized the Commissioner or Superintendent to sell the land for a trifling and merely nominal sum; and Mr. Monroe, who had authorized public land to be taken upon condition that it should be restored whenever demanded. I promised to see the Commissioner of Public Buildings, and to give them an answer shortly.

Mr. Clay spoke of the note received from Mr. Rebello, the Brazilian, and of his answer. Mr. Rush had sundry papers relating to the Chesapeake and Delaware Canal, and read me the draft of his power, instructions, and private letter to Mr. Wetherell, who is to be his proxy to vote for directors at the election next Monday.

Day. Differs little from that of the last month, excepting in two varieties of my morning's exercise—one, by an occasional bath in the Potomac and ten minutes' swimming; the other, by passing an hour, and sometimes two, in the garden. Although

my last autumn's plantings have not yet appeared, I have determined this year to repeat and multiply the experiments. The inconvenience that I now suffer is, that it absorbs too large a portion of my time. The garden stroll, added to the walk, wastes the hours till breakfast, and then the books waste an hour or two more. Yet my reading is desultory and confused. Then my visitors, an incessant stream, with letters, dispatches, and newspapers, keep me in constant employment from the breakfast morning hour of nine till the evening dinner hour of five. From seven or eight until ten I have yet continued to write, for the summer heat has not definitively set in. But my writing on the Colonial Trade question flags, and other business gets in arrear. Loudon's Encyclopædias of Gardening and of Agriculture, Du Hamel du Monceau's treatises upon Trees, Michaux's North American Sylva, and two or three other books upon botany, have amused some portion of my time. My health has still been very indifferent, but has within the last fortnight become more promising.

June 1st. Mr. Clay sent me the draft of instructions to H. Wheaton as Chargé d'Affaires to Denmark, which I read and sent back to the Department. He had also a reply from Mr. Rebello, translated by himself, and containing some exceptionable expressions, which we thought would make it necessary for Mr. Clay to see him again. Mr. Clay recommended W. Tudor to take C. Raguet's place, and that the appointment should be speedily made. I incline to the same opinion. Mr. Brent came for the instructions to Mr. Wheaton. Mr. Southard had a letter from Commodore Rodgers, referring to a complaint from Mr. Vaughan, the British Minister, that a guard-boat from Rodgers's squadron at Gibraltar had hailed an English King's ship. Rodgers vindicates his conduct, with great indignation at the complaint. By a letter from Commodore Chauncey, it appears that Mr. Sands has fenced in part of the navy-yard lands at Brooklyn, and the Commodore has fenced out Mr. Sands. The title must be tried.

2d. Mr. Southard came to say that he had some time since engaged a vessel at Norfolk to carry to the African Colony a number of negroes adjudicated to the United States as having

been illegally imported. Twelve had been taken in at Norfolk, and the vessel had proceeded to Savannah, in Georgia, there to take in upwards of a hundred more. Dr. Peaco, a surgeon in the navy, had been employed as the agent to have charge of them for their conveyance to Africa; but a few days after his arrival at Savannah he was taken sick and died. The vessel, which, by the engagement, was to be only twenty days at Savannah, has already been there that time, and now remains at a charge of demurrage to the public, and Mr. Southard said he did not know whom to employ in the place of Dr. Peaco. I mentioned to him Dr. Todson as a professional surgeon, accustomed to Southern climates, and perhaps as well suited to the service as any person who could now be selected. I told him of the circumstances under which he had been dismissed from the service, and his continual applications to be restored to it. I referred him to Mr. Wirt for a further account of Todson's character, observing that as I believed all his misfortunes had originated in the badness of his temper, that would constitute the principal objection to his appointment. Mr. Southard said he would make enquiries of Mr. Wirt, and then confer with me again.

3d. Heard Mr. Little, from Ecclesiastes vi. 11, 12: "Seeing there be many things that increase vanity, what is man the better? For who knoweth what is good for man in this life, all the days of his vain life which he spendeth as a shadow? for who can tell a man what shall be after him under the sun?" Mr. Little explained the meaning of the term "vanity" as used in the Scriptures, and particularly in this Book of Ecclesiastes, observing that it was different from the sense in which the same word is now in common discourse applied to the character of persons. And he then gave a picture of the miseries and afflictions incident to human life, in illustration of this sentiment in the text, which is indeed the prevailing doctrine of that book. It is easy to fill up this outline. There is a natural disposition in man to brood over his afflictions, and to make himself more unhappy than he is. The Scriptures have added the sanction of religion to this sentiment, and present the condition of man as wretched, because it is

fallen. In the heathen mythology the moral and physical condition of man was represented as having undergone gradual depravation, but the vanity of human life is not inculcated among the moralists of Greece and Rome. The satirist Persius says:

"O curas hominum! O quantum est in rebus inane!"

but in that poet, and still more in Juvenal, there are many traces of the influence of Christian ideas upon the opinions of the age —an influence of which, while it acted upon them, they were themselves unconscious. Mr. Little closed his discourse, however, by admitting that the condition of human life was now much happier than it was in the days of Solomon. I have no doubt; but whether, taking an average of individuals, there is more enjoyment or more suffering now than then, is a question. Of sensual pleasure, no man now living can have enjoyed more than fell to the lot of Solomon. None can have been more favored with higher, nobler, more varied, or longer-continued intellectual gratifications. And he contributed as much perhaps as any man that ever lived to that very improvement in the condition of his species. But he was satiated with happiness, and, after a youth of supernatural wisdom, and a manhood of unrivalled glory, he wasted his old age in blasted and impotent excitement, in idolatrous dotage, and in helpless repining at the nothingness of the delights which he could no longer relish. His wives and concubines found him as Madame de Maintenon found Louis XIV.—a "not amusable man." With health of body and of mind, human life is in truth a condition of happiness in the main, interrupted by frequent sorrows; and while we assent with humble reverence to the estimates of life formed by unerring wisdom, we are not the less bound to receive and acknowledge with gratitude the blessings with which Divine Providence has gladdened our existence.

4th. The rains of yesterday and last night turned me to my usual winter's walk round the Capitol Square, which, as the season advances, has become a dull one. Upon my return, a heavy shower excluded me from the garden. The silk-worm which commenced its web yesterday had completely surrounded

itself this morning, but was yet visible through the cocoon all this day. The two other black ones went into the same state last night and this day. The web of the first is a bright golden yellow, those of the second and third are nearly white.

I read the first chapter of Du Hamel on Plantation, upon the soil suitable for trees, which shows that judgment must be used in adapting the trees to be planted to the soils in which they are to grow. He considers the soil not only of and near the surface, but even as deep as the roots of the trees will delve, as subject of grave consideration. The trees of wet and dry soils, of clay, sand, and gravel, of chalk, and of stone, the trees for large forests and for low thickets, for groves and arbors, for hedges and walls, for warrens and partridge coveys, shrubbery or single standard, are all discriminated; and a description and engraving are given of an auger (*tarière*) to bore the earth six, eight, or ten feet deep and thence bring up a sample of the stratum of earth there hidden. He gives it as a general rule that, whatever the soil near the surface may be, if rock or chalk be found within the depth to which the roots strike, the tree will be stunted. I examine my three flower-pots almost every hour of the day, to witness the process of vegetation.

Mr. Southard read me a letter from Mr. Sands, of New York, complaining that Commodore Chauncey had taken military possession of the land at the navy-yard, the title to which is claimed by him, and also that his letter proposing to refer the question to arbitrators had not been answered. I advised that an answer should immediately be sent him declining an arbitration, stating that the title of the United States to the land is believed to be good, and that if his claim and those of other individuals to parts of the land can be sustained, it must be settled by the Courts of law. Southard spoke also of Dr. Todson, concerning whom he had made enquiries, and had received various information, which he thought, upon the whole, rendered the appointment of him to the African agency of doubtful expediency. Todson himself was afterwards here, and had heard from some person that his name had been mentioned by me to Mr. Southard for this appointment. He was extremely anxious

to obtain it. I referred him to Mr. Southard, but without giving him any encouragement. He came again, after seeing Mr. Southard, and said he believed he should obtain the place.

5th. Although the morning was cold, I bathed and swam about ten minutes from the rock, alone; then spent two hours in the garden, where, at every visit, enquiries multiply upon me. In this small garden, of less than two acres, there are forest- and fruit-trees, shrubs, hedges, esculent vegetables, kitchen and medicinal herbs, hot-house plants, flowers, and weeds, to the amount, I conjecture, of at least one thousand. One-half of them perhaps are common weeds, most of which have none but the botanical name. I ask the name of every plant I see. Ousley, the gardener, knows almost all of them by their botanical names, but the numbers to be discriminated and recognized are baffling to the memory and confounding to the judgment. From the small patch where the medicinal herbs stand together I plucked this morning leaves of balm and hyssop, marjoram, mint, rue, sage, tansy, tarragon, and wormwood, one-half of which were known to me only by name —the tarragon not even by that. I read the second chapter of Du Hamel, upon the climate and exposition adapted to different trees. He divides them generally into mountain and valley trees, and marks the quarters of the compass to be considered in fixing their various sites.

Mr. Clay came with Condy Raguet, late Chargé d'Affaires of the United States at Rio de Janeiro. He gave me some new particulars of his motives for demanding his passports without orders from his Government, and coming away. He thinks that the spirit and energy of his proceedings alarmed the Government of Brazil and induced them to offer that promise of satisfaction for all just complaints which they have made through their Chargé d'Affaires here, Rebello, and he said that he hoped the confidence which I had so often shown him would not be withdrawn. I told him that my opinion of his integrity, patriotism, and zeal was unimpaired; that I was convinced of the purity of his motives to the step he had taken; but that I had thought it would have been better if he had, before taking that step, consulted his Government. Mr. Clay

brought a translation of a long note from Salmon, Chargé d'Affaires of Spain, complaining of Commodore Porter's proceedings at Key West, as violating the neutrality of the United States. Cabinet meeting to be at one on Thursday.

Dr. Todson came again, to say that he had heard of Mr. Southard's objections to appointing him to the agency vacated by the death of Dr. Peaco, and he made an argument to prove his fitness for the place. I told him that Mr. Southard had probably made other arrangements, and that I believed he must wait until there should be some other opportunity for employing him.

Mr. Raguet came, and, observing that he should leave the city to-morrow morning to return to Philadelphia, read me several letters relating to his departure from Rio de Janeiro, and some to sustain his opinion that the Government there will be shortly overthrown. One of the letters was from Mr. Gordon, the British Minister, who had been long confined by illness to his chamber, but who, expressing great regret at his intended departure, and a candid opinion that the step he had taken was stronger than the circumstances would justify, tendered his friendly good offices to produce a reconciliation so as to avert his departure. His answer, which he also read, declined accepting this interposition unless he should be assured it was desired by the Brazilian Government—which Mr. Gordon of course could not state. He said he had afterwards a personal interview with Mr. Gordon, from whom he parted upon the most friendly terms. He said he had been well aware that the step he had taken was one of very great responsibility, but he was yet confident that nothing short of it would have prevailed upon the Brazilian Government to give us any satisfaction for their numerous wrongs.

7th. There was a Cabinet meeting, attended by Messrs. Clay, Rush, and Southard, Governor Barbour not having yet returned from his excursion to Annapolis and Baltimore, and Mr. Wirt being absent. The questions considered were, what should be done upon Mr. Salmon the Spanish Chargé d'Affaires' complaint of violations of neutrality by Commodore Porter. It was deemed important to prevent him from making

use of his station at Key West for annoyance against Spain. But the questions of the precise authority of the Executive to restrain him by force, and of the mode in which it should be exercised, were much discussed. It was finally concluded that the Secretary of the Treasury should write to the Collector at Key West, directing him generally not to permit any violation of neutrality by the Commodore; particularly that he should not be allowed to fit out his prizes there as privateers and then order them to return there with their prizes; and that he should not be allowed to arm, and in any manner increase, his force there. Instructions are to be given by the Secretary of the Navy to the Commander of our West India squadron to touch occasionally at Key West and give to the Collector any aid that he may need to enforce his discharge of his duties. The instructions to the Collector, and those to the Commander of the squadron, are to be adapted to each other, and the answer by Mr. Clay to Mr. Salmon is to be conformable to them. Attention is, however, to be given to two important points: one, to authorize no act of force of doubtful legality; the other, not to endanger the life and health of the men in our public ships by requiring them to remain any length of time, at this and the approaching season of the year, at Key West.

I requested Mr. Clay to answer a letter that I have received from Governor Enoch Lincoln, of Maine. Mr. Southard mentioned to me that he had not yet fixed upon his agent to go to Africa; but he is immovable in his rejection of Todson.

8th. I had a bad night—little repose, and, by a feverish restlessness, rose from bed at half-past three. But I have no time that I can employ ever hanging upon my hands. As soon as there was daylight enough to allow me to read, I finished Du Hamel's third chapter and first book on planting. His remarks on mountain trees; on white woods and aquatic trees; on trees for alleys in gardens and parks, for palisades and arbors, for warrens and coveys, for massive forests, avenues, highways, hedges, and quincunxes, all have their interest, though not all suited to the taste of the age, and some of them not to the usages of this country. The principles are applicable to all times and to every country. For the perfection of the tree, it

should be suited to the soil and climate where it is to grow; for purposes of economy, plantations should be made for the profit to be derived from them. The uses of plants and trees are numberless for all the comforts and enjoyments of civilized life, and they are adaptable to every stage of civilization. At five I went to the boat, and swam about fifteen minutes to the shore; then visited the garden, and noticed the patch where the seedling esculent vegetables were in blossom—the deep blood-colored beet, the white-flowered carrot and yellow-flowered parsnip, the enormous-leaved horse-radish, and the tall and slender-stemmed Jerusalem artichokes; with these, numerous weeds are growing in rank luxuriance, though I found none new. I appealed again to my nomenclator, the gardener, for the names of various weeds which he had told me before, but which I had forgotten, and fixed some of them more determinately in my mind.

Mr. Brent brought me a draft of a proclamation declaring a suspension of the discriminating duties upon vessels and their cargoes belonging to the subjects of his holiness the Pope. But he had erroneously copied the former proclamations, founded on the Act of 3d March, 1815, which is repealed. I told him it must be founded on the Act of 7th January, 1824; read to him the fourth section of the Act, and directed that the proclamation should follow it, as far as possible, word for word.

Mr. Clay was here this evening. He proposes to leave the city on Sunday for a visit to Kentucky, intending to return here by the 1st of August. I found myself unable to write the greater part of this day. My health and spirits droop, and the attempt to sustain them by exciting an anxious interest in botany, the natural history of trees, and the purpose of naturalizing exotics, is almost desperate. The design is fascinating, but the practical execution is beset with difficulties: one of them is the consumption of time in search of knowledge on the subject. I seek it blindfold, and now with an anxiety which causes sleepless nights. I began last summer with Michaux's North American Sylva, and formed some little acquaintance with the oaks, but learned little or nothing of the best manner of cultivating them. This summer I have more

books. But, with them, the objects of enquiry and investigation spread. I believe ten summers of unrelaxing attention will be necessary to accomplish anything useful for posterity; and, after all, it may terminate in disappointment.

12th. Dr. Todson came to thank me for the appointment which Mr. Southard has finally concluded to give him of agent for conveying the negroes to the African Colony. I observed to him that his future destiny would depend very much upon the propriety of his conduct under this appointment, and that I hoped it would be such as to justify the Government in appointing him, and as entirely to retrieve his character. He took leave for immediate departure.

13th. The attractions of the garden, and the objects of curiosity constantly multiplying upon my attention there, have rendered my walks abroad for mere exercise tedious and irksome, so that I have omitted them the last three days. But this morning, after planting in my eastern seed-bed eighteen whole red cherries, and visiting the southern bed, where the casual poppies are now all (six) in flower, the mustard and anthemis in full blossom, the althæas still coming up, and the wild cherries apparently stationary, I remarked that the strawberries are ceasing, and the currants, red and black, becoming ripe. The catalpa-trees are in full and beautiful blossom, and Holyoke's bladder senna, and other flowers, are blossoming. The rue, sage, and hyssop are also in bloom. I remarked that the honey-bees had keen relish for the poppy-flowers, and the wasps for the wormwood, though not in blossom. The border of thyme is still in full bloom. I walked, after leaving the garden, half-way to College Hill. My apple-pippin, in the flower-pot, shed its shell forty-eight hours after its first appearance on the surface of the ground. This seed must have been barely covered with the earth. I found several of them thus, and others as much as two inches deep. It was raised about half an inch above the surface when the shell was ready to drop off, and the seed opened itself into two greenish seed-leaves, with a plume already formed between them. I procured four small boxes, for the purpose of preserving cherry-stones and other seeds, to be sown and planted next autumn and spring. With

the boxes Antoine brought me two small apples of the present year, said to come from South Carolina.

16th. Mr. Rush called to take Dr. Mease's last letter. I suggested to him the expediency of having an alphabetical list made of the plants recommended to be imported for cultivation, to be made out in columns, showing the botanical name of the plant, then its trivial name, the country from which it is to be brought, its uses, and the person by whom its importation is recommended.

18th. Mr. Southard has sent me the papers relating to the appointment of a Paymaster to the Marine Corps. Captain Kuhn has held that office several years, under the appointment of Colonel Henderson, the present Commander of the corps. But as he recently brought charges against Henderson affecting his character in regard to his honor and integrity, and as the Court of Enquiry to which they were submitted exonerated Henderson, he now wishes to remove Kuhn from the office of Paymaster, and wrote to the Secretary of the Navy to that effect. A correspondence between them ensued, the result of which is an opinion of Mr. Southard that the Commandant has not the right of appointing the Paymaster, but that he should be appointed by the President during the recess, and by nomination to the Senate at their session. The question depends upon the construction of three or four Acts of Congress, which Mr. Southard thinks have been incorrectly construed, but upon two of which, at least, my opinion inclines to the old construction, and upon the other I am not entirely without doubt. After discussing the subject with Mr. Southard, I requested that there might be a consultation with the members of the Administration before we undertake to introduce a practice entirely new and opposite to that which has been long established and considered as legal, and suggested some modifications as advisable to the letter which he proposed to send to Colonel Henderson. That officer, indeed, in his last letter, asked to withdraw all those that he had written relating to the subject, upon which further consideration will be proper.

Mr. Southard had also sent me, some time since, a proposed new regulation respecting midshipmen—that all having at-

tained the age of midshipmen, and been five years in service, should be entitled to an examination, after which they shall receive a new warrant as passed midshipmen, with additional pay and rank over all midshipmen not passed. I agreed to this, and requested that an addition to it should be made, that no person should receive a midshipman's warrant under fourteen years of age.

20th. Governor Barbour came, and informed me that J. Crowell, the Agent to the Creek Indians, was here, having entirely failed in persuading the Indians to relinquish the remnant of their lands within the State of Georgia. He has also failed in the payment of their annuity of fifty thousand dollars, Mr. Tutt, the Commissioner, having awarded twenty thousand dollars of it to the Mackintosh party as compensation for their losses at the destruction of Mackintosh and his property. The Little Prince's party protest against this payment, and claim the whole annuity; and the Mackintosh party refuse to receive the amount awarded them, being threatened with destruction by the others if they should receive it. Mr. Crowell was afterwards here, and repeated all this to me. He says that the Indians are much dissatisfied with him, and that they are now much under the influence of the Cherokees Ridge and Vann, who instigate them against him. I conversed with Governor Barbour upon the expediency of making some disposition for an appointment, under these circumstances, of another Agent, and he proposed Mr. T. M. Randolph, but we thought it would deserve some further consideration. Crowell told me that the U. S. District Judge for the District of Alabama, Joseph Crawford, had decided that the Act of the Legislature of that State, extending the jurisdiction of the State over the Indian Springs Treaty lands, was unconstitutional and void.

23d. Mr. Ringgold, the Marshal, came to speak of the execution of De Vaughn, which was fixed by the Court for next Friday. He supposed I had received a copy of the verdict and sentence, and enquired if I proposed to grant a pardon or reprieve. I said I had for the present no such intention. I had not received a copy of the proceedings, but had seen in the newspapers the sentence of death pronounced by Judge Cranch.

It was a case of most aggravated murder, and there had been no recommendation to mercy, either by the jury or the Court. I had been much distressed by the supplications of the man's sister, who had applied to me in person; and I had received a memorial from Alexandria soliciting a reprieve for him, signed by a considerable number of names, but of which I knew scarcely any.

He said he should see the Judges in Court this morning, and enquire whether they proposed to recommend him to mercy. If not, and he should hear no further from me, he should execute the sentence on Friday at two in the afternoon.

Dr. Thornton called, with a Mr. Mendenhall, from North Carolina, heretofore a Quaker, and a slave colonizer. He is going to the Northern States, and to visit the British Provinces of Canada.

Mr. Crowell came to take leave. He recommended sending a company of soldiers to the vicinity of the Agency, for the purpose of keeping effectually the peace among the Indians.

Governor Barbour was afterwards here, and, mentioning that Crowell had made the same proposal to him, thought it would be advisable to postpone this movement for the present. But, he said, he had written to the Little Prince, expostulating with him upon the threats of violence to the Mackintosh party, and also upon the obstinate refusal to cede the remaining strip of their lands within the State of Georgia.

26th. Mr. Ringgold, the Marshal, came with a copy of the sentence of death passed by the Circuit Court of this District upon Jonathan De Vaughn, for the murder of Tobias Martin. It is to be carried into execution to-morrow, between the hours of twelve noon and three in the afternoon—the day having been altered from Friday at the suggestion of Judge Morsel, who objected to an execution upon a Friday. Mr. Ringgold said he had been yesterday at Alexandria, and seen De Vaughn, and advised him to prepare for his fate, assuring him that he had no reason to believe there would be a respite of the execution. He has, until within a very few days, always flattered himself that there would, and he has been reckless of his condition. He is now somewhat softened, and has the spiritual assistance

of Mr. Cornelius and of Mr. Harrison, Methodist preachers. He preferred them, though he told Mr. Ringgold that he had been bred an Episcopalian. Mr. Ringgold said that Mrs. Mills, De Vaughn's sister, had applied to the Judges and to every member of the jury who tried De Vaughn, for a recommendation to mercy; but all had declined giving it. He added that, unless he should hear again from me, he proposed to execute the sentence as nearly as possible at two o'clock P.M. to-morrow. I said I did not expect anything would occur to change my views of my own duty, which were to leave the law to its course.

27th. Colonel Henderson, Commander of the Marine Corps, introduced to me Captain Stevens, of the navy, who is stationed at the navy-yard here. They spoke of the reluctance with which Commodore Tingey quits that station for the office of Commissioner of the Navy, and of the regrets of the inhabitants at the yard upon his leaving them.

Hughes is one of the young men recently dismissed from the Military Academy at West Point, by sentence of a Court-martial, for the disorders last Christmas-day. He came to complain that he had not had an impartial trial, and recapitulated much of the evidence which was given upon his trial. His main defence was an attempt to turn the attack upon Lieutenant Thornton, the officer who accused him, by raising against him a charge of unbecoming conduct in listening at his door. I told him that whatever representation he wished to make upon the subject must be offered through the War Department; and, as he said he had found the Secretary of War was absent on his arrival, I advised him to apply in writing to General Macomb, who is officially at the head of the West Point Academy.

Mr. Southard came to say that upon the arrival of Captain Elliot, in the Cyane, he had intended to order her immediately to proceed upon her cruise to the coast of Labrador, for the protection of the fisheries. But she needs repairs, which cannot be completed in less than six weeks. The fishery cruise is therefore likely to fail for the present season. I observed that if the repairs could be completed so that she could sail by the 1st of August, she should still be dispatched, as she would

then still have a practicable cruise of two months, but that she would then have no time to spare.

29th. Dr. Watkins showed me a letter from R. Peters, Jr., of Philadelphia, urgently recommending that I would attend the meeting for the celebration of the opening of the Pennsylvania Canal, so as to show myself among the German farmers and speak to them in their own language. I told Watkins I was highly obliged to my friends for their good purposes, but that this mode of electioneering suited neither my taste nor my principles. I thought it equally unsuitable to my personal character and to the station in which I am placed.

Watkins gave me also to read a short letter from Mr. Clay to him, from Wheeling, about Carter Beverley and General Jackson. Watkins afterwards came again, and introduced a Mr. Starr, of Halifax, Nova Scotia, heretofore of Connecticut, whose visit was of pure curiosity. Mr. Brent came concerning an application for the appointment of a Consul at Lima, in the place of W. Tudor. I advised to postpone the appointment until Mr. Clay's return here.

Mr. Anderson, the Comptroller, came to me in a state of warm excitement at an incident which has recently occurred at West Point. His ninth son, George W. Anderson, was one of the youths offered for admission to the Academy. One of the regulations directs that no candidate for admission shall be received who is deformed, or diseased infectiously, or disqualified by it for military service (1338). In execution of this rule, the candidates for admission this year were, for the first time, required to undergo the inspection of a surgeon naked. Three of them—a son of Mr. Clay, a son of Mr. Reed, the late Senator from Mississippi, and Anderson—refused to submit to this examination, and were not admitted. Mr. Anderson showed me the letter from his son, who was at a college in Pennsylvania, soliciting that he would obtain for him a warrant as a cadet, and that in which he gives the account of his rejection for refusing to submit to this inspection; and the Judge was extremely indignant at this act of oppression, as he considers it. He seemed unwilling to admit the possibility that I should not be as angry at this measure as he was, and

could hardly endure the comparative coolness with which I considered it.

I told him that I felt some repugnancy to this mode of ascertaining the fact of their bodily soundness, and some surprise at its being thus suddenly introduced, but that before making up my judgment upon it I must recur to the old principle, "Audi alteram partem."

There was a Cabinet meeting at one o'clock, upon the question with regard to the appointment of the staff officers of the Marine Corps, whether the appointment is to be made by nomination to the Senate, or whether it is vested by law in the Commandant. In 1798, the authority was given contingently to the Commandant; but in 1809, in 1814, and more unequivocally in 1817, it appears to have been placed upon the footing of other appointments—to be nominated to the Senate. Yet, even in carrying this last Act into execution, the Secretary of the Navy directed the Commandant to make the appointments and report them to the Department, and sundry subsequent appointments have also been made by the Commandant, down to the close of the year 1822. To reverse all this and declare it illegal in the interval between one session of Congress and another, upon a pragmatical construction of the laws, opposite to that which was acted upon apparently upon full deliberation, was concluded not to be advisable.

Mr. Wirt thought there was danger, if the appointments were illegally made, that the sureties to the official bonds might not be held; but that danger would be the same if the appointment were illegally made by the President and Senate as if made by the Commandant.

It was finally determined that the Secretary of the Navy should inform Colonel Henderson verbally that it is thought best no change of the appointment should be made before the session of Congress, and that then some measure should be adopted to remove all ambiguity from the law.

July 2d. Colonel Thayer, the Superintendent of the Academy at West Point, came to make, as he said, a confidential communication relating to the condition of that institution. The annual report of the Visitors this year is highly favorable, as

it has been heretofore. He said this was correct so far as the examination of the Visitors extended, which was only to the studies of the cadets and their acquirements in science. But, he regretted to say, the moral condition of the institution was not so favorable; that a habit of drinking had become very prevalent among them, and, unless something effectual could be done to repress it, the Academy, instead of proving a seminary of accomplished education, would usher into the world a large proportion of its pupils even then vicious, and prone to ruin and destruction.

I asked him if these practices had been of long standing.

He said, not in much extent; that the classes being arranged according to their merit, the head of each class possessed an influence almost boundless over his associates; that heretofore the heads of the classes have usually been distinguished for their good conduct as much as for their talents; that the reverse has happened with the class now recently graduated; that a young man from this District was at the head of the class, but, with fine talents, was of very loose morals, much addicted to drinking, avowing it as a right to be asserted and maintained by every youth of spirit, and encouraging and stimulating others to the same practice. This has now become so common that no small number of the cadets are in danger of dating their ruin from their connection with the Academy. They have introduced a system of stratagem for procuring liquor, and drinking with faces averted from each other, that they may not testify one against another. The Colonel spoke also of the practice of trying the cadets by Court-martial as very objectionable, the Superintendent being required to prefer the charges against the culprit, and thereby placed in the attitude of a party against his own pupils, and the Court-martial consisting of officers and instructors at the Academy, always parties when the charges are for violations of the discipline of the Academy, as they almost always are.

I requested Colonel Thayer to put the substance of these representations in the form of a written statement, and to leave it with me. As to the regulation excluding from admission persons infected with contagious disease, I recommended that

hereafter it should be executed without requiring an exposure of absolute nakedness.

Mr. Anderson, the Comptroller, came in as Colonel Thayer went out, still very much exasperated at the exclusion of his son, and incensed at the order for a naked examination. He now complained that there had been extraordinary rigor used with his son; said he was informed Mr. Clay's son and a youth named Willis had been subsequently admitted without submitting to the naked examination; that a report had been circulated that the reason why his son had refused to be examined was that he had an infectious disease, which, he said, was a foul calumny. On the list of the candidates for admission, with the remark upon the issue of their examination, those who refused the naked inspection were marked with the word "declined," which Mr. Anderson said was unfair; that the word would be understood as if they had declined the examination of their literary qualifications, which they had not, his son having passed that examination without committing a single error. He also said he had been informed that Dr. Wheaton had left the Point because he would not execute the order for a naked examination.

The Judge was indeed under so much irritation that I had a task to keep myself entirely cool. He also asked me whether I had come to a determination upon the case of the ex-cadet Hughes. I said I had not, and should wish to consult with the Secretary of War before forming it. He spoke, too, of my letter to him and the Fifth Auditor concerning my old accounts, which, he said, they would answer in the course of the week.

Mr. Brent spoke of dispatches recently received, and which he had sent me, from Mr. Gallatin, Mr. Brown, and from T. L. L. Brent, the Chargé d'Affaires at Lisbon. Mr. Weightman, the Mayor, and Mr. Goldsborough came as a committee from the citizens, who have determined on a celebration of Independence-day, requesting me to join in the procession, and attend the oration to be delivered at Dr. Laurie's church; the House of Representatives having passed some order that their hall at the Capitol should no longer be used for that purpose. I promised to attend.

3d. Mr. Rush called, and read me a letter from himself to C. J. Ingersoll upon the subject of naturalizing foreigners. He is averse to all laws restrictive of naturalization, and would confer the rights of a native citizen to every foreigner from the day of his setting his foot upon our soil. With this opinion I do not exactly concur. He also took with him the letter from Mr. C. Dorsey concerning my opinions upon the projected amendments to the Constitution of the United States for taking the election away from the House of Representatives.

I told Mr. Rush distinctly what my opinions were; that I had expressed speculative opinions favorable to an amendment of the provisions in the Constitution for the primary election of President and Vice-President. In the constitutional organization of the electoral colleges I had thought it would be more conformable to the analogy of the other parts of the Constitution if the whole Union should be divided into election districts, each district to choose one member of the House of Representatives for each Congress, and one elector at each Presidential election, and that the Legislature of each State should elect the two additional electors. I had expressed the belief that this would be an improvement; I still inclined to the same belief; but I never have believed, or said anything to indicate the belief, that in the only contingency which assigns the election to the House of Representatives it ought to be taken from them and given to another body; for, setting aside all reference to the last or to the next election, I thought, in the peculiar contingency of a divided vote in the electoral colleges, without majority for any one candidate, the House of Representatives was, of all others, the body peculiarly fitted for making the selection. Being the popular branch of the legislature, they would generally make the choice most pleasing to the people; and, having a participation with the President in the enactment of laws, they would be more likely to harmonize with a President chosen by themselves than by others. But I further said that the Constitution had left the trust of making amendments to the two Houses of Congress, without admitting the co-operation of the President. It was therefore doubtful to me whether the President could with propriety recommend to them any

amendment. But I had no doubt whatever that there would have been great impropriety in my recommending such an amendment after the circumstances under which I had myself been elected by the House, for I could not have done it without giving countenance to those base aspersions upon which the amendment-mongers had rested all their cause. I thought, therefore, there could be no public benefit, and there might be some inconvenience, in promulgating my opinions on these subjects. Mr. Rush said he would write to Mr. Dorsey accordingly.

4th. I had received notice last evening that the Literary, Scientific, and Military Gymnasium of Georgetown, a school kept by James D. Cobb, would tender me a salute in front of the house at seven o'clock this morning. They came about eight, and fired several rounds of their powder.

Mr. Robert Potter, of North Carolina, came, and took his letters of recommendation from Governor H. G. Burton, which he had sent me last evening, with an intimation that he wanted fifty or sixty dollars to get home. He said he was afraid there had been an impropriety in the application he had made. I said there was no impropriety in that, but I did not perceive the propriety of my providing him with money.

He then asked for the letters of recommendation which he had sent me, and I returned them to him.

The notification had been that the procession would be formed this morning at ten o'clock. But the Baltimore Marion Company of Light Infantry were expected, and did not arrive till near noon. I joined in the procession, and Mr. Rush, Mr. Southard, and Marshal Ringgold rode with me. The performances were at Dr. Laurie's church—an introductory prayer by him, the Declaration of Independence read by Dr. Sim, and the oration by C. S. Coxe. The house was scarcely filled. After this there was sung an ode or hymn. I returned home, escorted by Major Andrews and his troop of horse, and received visitors—that is, the whole population—from one till three.

5th. The night was intensely hot. Slept little, and about midnight I awaked with a severe spasm in the toes of my left foot. The weather has a violent effect on my nervous system,

and I find myself as if threatened with deadly cramps. They warn me from the river; notwithstanding which, I took my morning bath, and swam about a quarter of an hour in the channel.

Mansfield was a young, self-introduced man, from Virginia, applying for an appointment as a cadet. I told him it was too late for the present year, and advised him to make his application for the next at the War Department in writing.

Mr. Southard came for directions respecting the Court-martial to be called for the trial of Brevet Lieutenant-Colonel Richard Smith and Lieutenant Joseph C. Hall. It must be summoned by the War Department, there not being a sufficient number of officers of the Marine Corps disposable and competent for the trial. I was making some observations upon the draft of the charges, when Mr. Bouligny came in with a bundle of papers, and an application from the Corporation of New Orleans for some lands within the city belonging to the public and of which they wish for a grant. Mr. Brent was here at the same time with an application on behalf of a man in jail upon several indictments for assault and battery. The application was from his mother, and Judge Cranch recommended a compliance with it. But there was no petition from the man himself. Mr. Brent, however, took the papers, and shortly after sent me a petition from the man, and I signed an order for his discharge.

Captain Burch, of the army, brought a letter of introduction from Mr. Southard, being a native of New Jersey. I sent for Major Nourse, and mentioned to him my disposition to give the ex-cadet Hughes a commission, but of a date subsequent to those of his class. He said Colonel Thayer had told him that, independent of the transactions upon which he was tried and sentenced to be dismissed, his conduct had in other respects been very exceptionable; that if I wished it he would report particularly to me concerning it. Nourse added that there had never been an instance of a cadet sentenced to be dismissed and afterwards obtaining a commission. I desired him to request Colonel Thayer to report to me in writing upon the character and conduct of this young man.

Dr. Niles called again to ascertain if he could obtain a commission as surgeon in the navy, with permission to reside at Paris as a literary Agent for the Department, or for the Government generally, to procure books such as might from time to time be wanted, and to give advices relating to literature and science.

I told him I had conferred upon the subject with the Secretary of the Navy: he thought there were no supernumerary surgeons; none who could be spared from their appropriate duties.

He then said that the office of U. S. Consul at Paris, and that of Agent of Claims, would shortly be vacant, and asked if, in that event, he could be considered as a candidate for the place.

I said, certainly, but that it was doubtful whether Congress would continue to make an appropriation for an Agent of Claims at Paris after the present Agent should vacate the office.

6th. Major Elkins, of the militia, came this morning to inform me that the rifle company from Baltimore, who were going this day to visit Georgetown, wished to pay me a marching salute on their way, and he afterwards came to mention the time—between half-past eleven and noon. They accordingly came, and I received their marching salute. They were escorted by several of the militia officers of the District. They dined at Georgetown, and in the afternoon commenced their march homeward. On passing by the house, they again gave it a salute of three cheers.

Colonel Thomas came, and kept me about two hours in electioneering and political conversation, to which I was little more than a listener. He has been to Richmond, Virginia, upon business of his own, and is returning to New York. He said little of Virginia, but much of men and things in New York; told me of numerous conversations with Governor Clinton and many of his friends and of other persons, all having reference to electioneering. The whole tendency of his conversation was to satisfy me that he was disposed to make himself agreeable; and it manifested that knowledge of the world in which many of the New York politicians are proficients.

Mr. Southard had sent me last evening letters from Commodore Chauncey, from which it appeared that the question about the title to the navy-yard at Brooklyn had festered into a mob pulling down the fence which he had erected, and a personal affray between him and two of Joshua Sands's sons, in which he complains of having been outrageously assaulted, but for which he has been sued and bound over to keep the peace. He asks for instructions. Upon which I desired they might be, that no further resistance of force should be made to anything Sands or any other of the claimants might do on the ground; but that an action of trespass should be instituted against them for pulling down the fence, by which the title can be tried, and that Lieutenant Sands should be tried by a Court-martial for his assault upon Chauncey.

Mr. Southard suggested the expediency of immediately suspending Lieutenant Sands from duty; to which I assented. I endorsed also an order upon his letter relating to the charges against Colonel Smith and Lieutenant Hall, of the Marine Corps, directing that a Court-martial should be convened by the War Department, consisting of officers of the army, together with two from the Marine Corps.

Isaac Adams, of Baltimore, came with a petition from John Gooding, of that place, that a "noli prosequi" may be entered to a prosecution against him for the violation of the statutes against the slave-trade. He had also a recommendation to that effect from several very respectable citizens of Baltimore, and Adams appealed to my compassionate feelings for this man, who, he said, had once been in flourishing circumstances, and was meritorious in privateering during the late war, but was now ruined, and had a wife and eleven children dependent upon him for bread. I took the papers, and said I would do for his relief whatever might be in my power.

Mr. Clarke, the Clerk of the House of Representatives, called to take leave—going to-morrow to visit his family in Pennsylvania. He returned a few days since from an excursion to New York, where he has been to procure stationery for the House. Mr. Daniel Brent called with a commission made out for T. Randall, as Judge of the Middle District of Florida, in

the place of Augustus B. Woodward, deceased; but I have not yet received any authentic account of his death. Major Hamilton came to enquire if I had read the voluminous papers which he some time since left with me. I had read only part of them, and he said he would call again.

9th. Judge Anderson came again to recommend the application of Hughes for a commission, which he urged with great earnestness. The report of Colonel Thayer is unfavorable to him. On the roll of merit for conduct his name stands 186 in a number of 202; but Judge Anderson thought that personal partiality had operated against him, and pleaded the importance to the young man of that profession to which he has been bred, his youth, and that with regard to any report of Colonel Thayer against him he ought to have the opportunity of defending himself.

I discussed the subject with him perhaps for an hour, and he recurred again to the late rejection of his son for refusing to submit to the inspection of his person naked. The son returned here last evening. The Judge complained of the expense which it had occasioned him, but said that neither he nor his son would now on any consideration agree that the son should enter at the Academy.

Mr. Rush came for the petition of John Hutchinson, master of the British ship William Dawson, which he had left here, and the order of release from the penalties which he has incurred for bringing an excess of passengers.

Dr. Niles came, and informed me that Mr. Southard had declined giving him a commission as a surgeon in the navy with permission to reside at Paris, but had promised to commissionate him to purchase books for the Department, if any should be wanted. He also offered me his personal services, and gave me a volume of statistical researches upon Paris and the Department of the Seine.

Mr. Southard was here with another letter from Commodore Chauncey, who has again been prosecuted upon a statute of the State of New York, before three justices of the peace, who have put Sands in possession of the disputed ground, and have required Chauncey to withdraw his sentinel from that part of

the yard. Mr. Sands has also written to Mr. Southard for a copy of his own letter to him, in order to make a public exposition of the military interposition in this affair. He mentioned also the arrival of the United States schooner Shark at New York, and his intention to order her upon a cruise to the coast of Labrador to look to the fisheries.

Mr. Bouligny came, and introduced Judge Bullard, of Louisiana, who is travelling for his health. Bouligny spoke also of the application from the Mayor of New Orleans respecting certain lands which the City Council have advertised for sale, but which are claimed as belonging to the United States. I had not fully examined the papers, but did, after Mr. Bouligny left me, and must take the opinion of the Attorney-General concerning them.

Judge Cranch called here this evening, and gave me three letters from me to him, written at Newburyport, dated 14th October and 8th December, 1787, and 16th February, 1788, containing my objections to the Constitution of the United States, which was then before the people for consideration; also a letter from my father to him of 10th March, 1823, and one of James Lloyd of 10th February, 1825. The fortieth year is revolving since my own letters were written, and now their best use is to teach me a lesson of humility and of forbearance. I was so sincere, so earnest, so vehement in my opinions, and time has so crumbled them to dust that I can now see them only as monumental errors. Yet the spirit was such as even now I have no reason to disclaim—a spirit of patriotism, of order, and of benevolence. In the last of the letters is an allusion to my own state of mind at the time, more affecting than all my political speculations.

10th. Mr. Brent came for papers relating to an African, who appears to be a subject of the Emperor of Morocco, but is a slave in Georgia. He procured a letter to be written for him to the Emperor of Morocco, by whom it was communicated to Mr. Mullowny, the Consul of the United States at Tangier. He has sent a translation of it here, with an earnest recommendation that the Government of the United States should purchase the man and send him home as a complimentary

donation to the Emperor. I requested Mr. Brent to write to Georgia and ascertain the price for which he could be purchased, and, if practicable, to carry into effect the wish of Mr. Mullowny.

Dr. Watkins called, and showed me a letter from Governor Barbour, written at the Bedford Springs. He requested a copy of my printed letter in answer to the attack of Alexander Smyth in 1822. I found and gave him one, together with a copy of my letter to H. G. Otis upon the embargo, as reprinted at Baltimore in 1824. Watkins showed me also a letter from J. C. Wright, containing what Watkins thought a lame apology for another strange letter of Wright's to Edward King, of Ohio, from which King as strangely published extracts in a newspaper.

Mr. Fendall came from the Department of State for Mullowny's letter and the enclosures in it, which he took. Mr. Southard called and took the title-deeds and all the other papers relating to the contested title to the navy-yard at Brooklyn, on Long Island. He said he would have an abstract made from them, and a summary of all the facts in this controversy, to be used hereafter as occasion may require.

12th. Mr. Rush called, and read to me two letters which he has received from W. H. Crawford, one dated in February and the other in April last, both recommending very earnestly persons for appointment to office, and both full of abuse and invective upon me. Crawford is an instance, not solitary, of a man whose passions have thriven upon the decay of his body and mind.

Major Nourse called for my decision upon the application of the ex-cadet Hughes for a commission. I had concluded, on much consideration of all the circumstances, to grant him one immediately after the rest of his class; but Major Nourse pointed me to the Army Regulation No. 1391, expressly declaring that no cadet dismissed for misconduct shall be commissioned within five years after his class; I desired the Major, therefore, to answer his letter to the Secretary of War, and say that I cannot depart from the Regulation.

The three Commissioners for the distribution of the Slave

Indemnities met and organized themselves in this city on the 10th, and this morning they visited me together. They are Langdon Cheves, of Pennsylvania, James Pleasants, of Virginia, and Henry Seawell, of North Carolina. Mr. Edward Livingston, of New Orleans, also paid me a visit, being here as an agent for some of the Louisiana claimants. He made some enquiries concerning the state of the negotiation with the British Government about light-houses on the coast of Florida, and referred to a letter which he wrote to me on the subject last winter. He thinks the matter has not been presented to the British Government in a proper light, to prove to them that the establishment of these light-houses is as much for their interest as for ours.

14th. Colonel Thayer came, and informed me that he proposed leaving the city to-morrow morning, to return to West Point. He has left here a manuscript copy of a revised set of regulations for the Academy, which are under examination and must be deliberately considered. He recurred again to the practice of trying the cadets by Court-martial, and expressed again his opinion that it was of most pernicious tendency. It has first the inconvenience of placing the Superintendent and the pupils in the relations of prosecuting and criminated parties upon trial, in which if the prosecutor fails he is humiliated before his pupil; secondly, he must generally rely, for his testimony, upon other cadets—that is, upon the accomplices of the party accused; and, thirdly, this testimony is of doubtful character, the regard for truth being, on the part of many of the witnesses, postponed to the supposed duty of sustaining their fellow-students.

16th. D. Brent sent me several letters received at the Department of State, among which two dispatches of 29th and 30th May, from A. Gallatin. One gives an account of the resumption of conferences with Mr. Huskisson and Mr. Addington, of no auspicious character. The other encloses the correspondence relating to the arrest of his coachman for a breach of the peace. In this correspondence there is much complimentary varnish, but the substance of it was that Mr. Gallatin's coachman had presumed upon his privilege to commit a breach of

the peace; that the police magistrate took him by warrant in his own stable, without regard to the privilege either of the coachman or his master; that in this practical exposition of regard to the Law of Nations the law officers of the Crown sustained the police magistrate; that the privilege of the Minister was totally disregarded, and that Mr. Gallatin forbore to insist upon his rights, and contented himself with polite notes from Mr. Conant, the magistrate, from Lord Dudley, the Secretary of State for Foreign Affairs, and from Mr. Backhouse, his Secretary. He reserved, however, the question for the consideration of his Government.

31st. All the morning, till noon, was employed, with the interruptions of visitors, in concluding business of the several Departments, and disposing of papers, public and private; many were yet left without arrangement and in disorder. About an hour before I left the city, Major Nourse came with several dispatches from Governor Cass, of the Michigan Territory, announcing hostilities by the Winnebago Indians and much alarm. I hesitated whether I should not postpone my journey; but I had some weeks since directed a re-occupation of the post at Prairie du Chien, Governor Cass appeared by his letters to have taken all measures of precaution required by the emergency, and, the Secretary of War having notified his intention to be here to-morrow or the next day, I desired Major Nourse to call his special attention to the subject on his return, and left to his discretion such further measures as he may deem advisable. Nourse afterwards wrote me a note stating that since he saw me he had received information that a detachment of troops had been ordered from St. Louis to Prairie du Chien.

Mr. Southard called twice, the second time to mention that he had information of the arrival of Commodore Rodgers with the line-of-battle-ship "North Carolina" at Norfolk. He had expected she would arrive at New York, and would probably be there at the time of my arrival at that city, in which event he had urged me, and I had promised, to visit the ship, which he thinks the finest ship in the world. Mr. Rush, Mr. Anderson, and Mr. Graham called merely to take leave.

At noon I left the city of Washington, with my son Charles,

in my carriage and four horses. My own purpose is to pass the two months ensuing in retirement at Quincy, with my brother and his family. We reached Ross's tavern, now kept by Mr. Graeff, before two, and Merrill's, at Waterloo, near five. We met here Mr. Proud and an Administration county committee of sixteen or eighteen persons, all of whom he introduced to me. I dined at Merrill's, and, after a parting glass of wine with the members of the committee, proceeded to Baltimore, and alighted at Barnum's Hotel between eight and nine.

Day. My time of rising this month has varied from a quarter-past three to half-past four, and I have busied the hours till nine alternately with bathing and swimming in the Potomac and with walking towards the College Hill, gathering plants and blackberries, and visiting the garden, noticing the growth of the plants there, and talking of them with the gardener, Ousley. Breakfasting at nine; from ten till five in the afternoon the current business from the Departments, visitors, dispatches, and letters received by the mails, and reading the newspapers, slide through the time. Dine from five to six; after dinner I have occasionally rode out an hour and a half in the carriage, or with my son in his gig. From nine to ten I retire to bed. My health has been languishing, without sickness. From four to five hours of sleep, not of good repose; a continued habit of costiveness, indigestion, failure of appetite, uncontrollable dejection of spirits, insensibility to the almost unparalleled blessings with which I have been favored; a sluggish carelessness of life, an imaginary wish that it were terminated, with a clinging to it as close as it ever was in the days of most animated hopes—such has been the condition of my body and the disposition of my mind during this and several preceding months. My confidence in the salubrity of the river-bath and swimming is greatly shaken, and yet not wholly gone. I have bathed less than any preceding summer, usually diving from the boat and swimming to the shore; not less than ten nor more than twenty minutes in the water; and sometimes substituting the shower-bath, with or without a tub-bath, in its stead. With a defective perspiration and imperfect digestion, there has been a continual inward heat, part of which has come out from

time to time on the surface of the skin, as it did last summer, though not quite in so high a degree. Dr. Huntt pronounces this to be erysipelas, and has repeatedly and earnestly advised me to go and pass the remainder of the summer at the North; to doff the world aside and bid it pass; to cast off as much as possible all cares, public and private, and vegetate myself into a healthier condition. This is the object of my present journey; but in going upon an expedition of proposed idleness, my own deepest anxiety is to regain, if possible, a habit of useful industry.

BALTIMORE, *August* 1st.—I left the coachman to return with my carriage and horses to Washington, and at five this morning departed in the steamboat United States, Captain Trippe, from Baltimore. Among our fellow-passengers were General David R. Williams, of South Carolina; Mr. Bankhead, the Secretary of the British Legation, and his wife; Mr. T. Wolfe Tone and his mother, Mrs. Wilson; a Mr. Walker, of Georgetown; two or three ladies of Captain Trippe's family—daughters and a niece; and a Mr. Spencer, the husband of one of them. We arrived at half-past eleven at Frenchtown. I took for myself a stage to New Castle, and by my invitation General Williams and Mr. and Mrs. Bankhead took seats in it with me. About three in the afternoon we arrived at New Castle and embarked in the steamboat , Captain Jenkins, for Philadelphia. Here we landed about six in the evening, and I took lodgings for the night at Renshaw's National Hotel, in Chestnut Street, opposite to the Bank of the United States. Mr. and Mrs. Bankhead lodged at the same house. R. Walsh, Jr., called very shortly afterwards, and invited me to go and lodge at his house, which I declined, but agreed to spend with him part of the evening. Charles wrote a note to J. Sergeant, informing him of my arrival, and requesting him to call—which he did. He has very recently returned from Mexico, and spoke to me of the failure of the Congress of Tacubaya. He gave me also a private letter from our Minister to Mexico, Joel R. Poinsett, in which he advises me of an intimation given to him by the President of the Mexican States, that his recall would be demanded. Mr. Sergeant thinks not favorably of the proceedings

of Mr. Poinsett during his residence in Mexico. I went with Mr. Sergeant to his house, where I saw Mrs. Sergeant, Colonel Watmough, Mr. Read, who accompanied Mr. Sergeant to Mexico, and Miss Sergeant. Thence I went and passed the remainder of the evening at Mr. Walsh's, where I met Jos. Hopkinson, N. Biddle, J. Vaughan, and several other persons with whom I was not acquainted. Returned about eleven in the evening to the hotel, where Sergeant parted from me.

2d. At six this morning we embarked in the steamboat Trenton, Captain Jenkins, for Trenton. Mr. J. Vaughan met me in the street, and accompanied me to the boat. Among the passengers were Mr. and Mrs. Bankhead and Colonel Watmough, whom I invited, and who rode with me from Trenton to New Brunswick. There were many other passengers, among them a man named Hoskins, an inhabitant of Burlington, who landed there, after having introduced himself to me. We landed about half-past nine at the wharf at Trenton, and embarked again at half-past one in the steamboat Thistle, at New Brunswick. We had travelled by the stage from Trenton through Princeton to Kingston, twenty-four miles, and thence fourteen miles to New Brunswick. At half-past five in the afternoon we arrived at New York. The ride from Trenton to New Brunswick was excessively beclouded with dust and scorched with heat. While on the passage between Staten Island and the New Jersey shore we had a light and very refreshing thunder-shower. Joseph Blunt, Charles King, and George Sullivan called upon us in the course of the evening. I gave Sullivan a verbal answer to his letter concerning Mr. Richard Stockton, of New Jersey. I assured him, and authorized him to assure Mr. Stockton, that my sentiments of regard and respect for him had undergone no change; that the considerations upon which I had felt it my duty to appoint another person Judge of the United States District Court in New Jersey were in no respect injurious to him, although of a nature which needed no explanation to him; that I could only say Mr. Southard was not peculiarly responsible for my decision, and that he had never spoken to me of Mr. Stockton but in terms of high respect and esteem. Sullivan said this

communication would be grateful to the feelings of Mr. Stockton, who had been hurt at not receiving the appointment of District Judge, and had been strongly apprehensive that some disservice had been done to him in my mind. Sullivan also told me that Judge Thompson, of the United States Supreme Court, was at home, and he thought that a call from me would be very acceptable to the Judge.

3d. I paid a visit this morning to Judge Smith Thompson, at his house in Broadway, about two miles from the City Hotel, and had a friendly conversation of perhaps two hours on various topics of interest. Returned to the City Hotel, and received visits from Jonathan Thompson, the Collector, and Peter Stagg, the Naval Officer, General Theodorus Bailey, the Postmaster, with Mr. Mower, Colonel Jonas Platt, with two other old officers of the Revolutionary War, a Mr. Henry, of Richmond, Virginia, his wife and two sons, Mr. Clendenin, and three others, from Kentucky, Commodores Tingey and Chauncey, Colonel Henderson, J. A. King, Charles and Edward King.

I embarked in the steamboat Washington, Captain Bunker the elder, which was soon upon her way. Mr. George Sullivan was on board, and introduced to me two sons of Lieutenant-Governor T. L. Winthrop, who are our fellow-passengers, and a Colonel Keith, of South Carolina, going with his family to pass the remnant of the summer at Newport. Sullivan himself was going to Rockaway, in New Jersey, where his wife is. I sat with my sons on the roof of the round-house from the moment of our departure till the going down of the sun, and then, descending on the deck, conversed upon English grammar with a school-master named Goold Brown, the author of a grammar, and who maintained by argument that in the English language there are ten parts of speech. He said he had examined a great number of English grammars, and that the author of the most ancient of them was the poet Ben Jonson.

4th. There arose soon after midnight a thick fog, which chilled the atmosphere and slackened the speed of our progress. On going upon deck, I found they were sounding for bottom, with a heavy swell, and many of the passengers sea-

sick. They continued sounding about an hour longer, when the light-house, seven miles below Newport, was discovered about half a mile distant. At half-past seven Colonel Keith, Mr. Lamb, and their families, with several other passengers, landed at the wharf at Newport. At ten the remainder of the passengers landed at Providence, just nineteen hours from New York. Had the fog not arisen, our passage would have been two hours shorter. As the morning advanced, the fog dispersed, and at the time when we landed at Providence the sun was again blazing with all his fierceness. A signal had been made from the boat for eight stages, which were ready at the landing, and one of them was engaged for me, to go round and leave me at Quincy. We had, therefore, no other company in it. We all dined at Fuller's tavern, at Walpole, parted from the other stages at Dedham, and at five in the afternoon, twenty-six hours from New York, arrived at my brother's residence in Quincy. The increase of travelling on this road from Washington to Boston, within my memory, is more strongly marked every year. I believe that the number of travellers from Boston to New York in the year 1789, the first that I went down the Sound, did not in the whole summer exceed that of the passengers in the steamboat Washington for this single trip. Even after the steamboat navigation had been eight years in practice, when, in 1817 and '18, I travelled between Boston and New York, the passengers were certainly not half so numerous, and there were only two boats in the trade, navigating three times a week, and only between New York, New Haven, New London, and Norwich. There are now eight or ten boats plying between the same ports, more than one of which departs every day. The voyage from New York to Providence is performed in less time than was then taken between New York and New London—and it is now not unusual to pass from New York to Boston within the twenty-four hours. These are among the pleasing proofs not only of the great increase of the population of this country, but of the improvement in the condition of the people. The invention of the steamboat has, on the average, shortened the time of travelling between Washington and this place by one-half. It

has given facilities to the water-passages between Baltimore and Philadelphia, and between New York and Providence in a still greater proportion; besides the almost certainty of effecting the passages in the purposed time, instead of the former dependence upon the chances of the winds.

QUINCY, 5th.—D. came out and spent the evening here. Brought out a number of newspapers, and was, as usual, full to overflowing of politics. He asked me why I had not nominated him a director of the Bank of the United States; and I gave him candidly the decisive reason, that he was a broker—an objection which, I told him, had been urged by some of his warm friends, and even by the President of the bank, who, I told him, had assured me that he would take opportunities that might occur to give him aid in his business. He said that was so far so good, and asked if there had been other objections. I said there had, but of a nature which it would be useless for me to explain to him; they were founded upon prejudices, and were made by some of his friends, as well as others. He asked how it would be if he should discontinue his business as a broker and be only a commission merchant. I told him I could not say; that it was not my custom to explain to candidates for public office my motives for selecting others, but I had done it to him from the regard I had for him, and I could only add that I had acted under a sense of duty and of my official obligations. He complained much of the custom-house officers at Philadelphia, and particularly of the Deputy Collector, whom he represented as devotedly hostile to the Administration, and as abusing his official power to injure the friends of the Administration and to favor their opponents; and he spoke of him as peculiarly hostile and oppressive to him. He said that such conduct from the officers of Government towards the friends and supporters of the Administration made it their interest, as individuals, to go over to the enemy.

"Well, Mr. D.," said I, "do so."

He said no, he should certainly not do so.

I said that if the Deputy Collector, or any other officer at the custom-house, did him injustice, he should immediately

address the Secretary of the Treasury, state the fact he complained of, and demand redress. In that case the officer would be immediately called upon to answer the complaint, and, if that should be substantiated, I would answer he should never have cause to complain of that officer again.

He mentioned two instances of petty vexations that he had endured, one of which I thought not very important, and in the other he had complied with an exaction of the officer, which, if he had inflexibly resisted, the officer must have yielded. But he said, what is indeed true, that an officer disposed to be partial may in many ways favor his friends and annoy his adversaries without coming exactly within the verge of responsible official misconduct. I said this was irremediable; I could not dismiss an officer for that which could not be charged as misconduct; and as to the political preferences of public officers in relation to the Presidency, I could take no cognizance of them. His conversation was painful to me and mortifying to him; but what I said to him was due to candor, and he recovered his good humor before he went away.

6th. The day was one of the hottest that I ever experienced. At one P.M. the mercury in the porch fronting the house was at 101°. I found myself utterly unable to write, and after dinner threw myself on the bed, from which I was soon compelled again by the heat to rise. I took from my brother's book-case the two volumes of Heron's Junius, and read in a desultory manner many of his notes. Junius is a writer of great power, but the extraordinary curiosity excited by his mask has given him greater celebrity than he would ever have attained without it. His secret has hitherto been kept perhaps the better for the multiplied and, in many cases, absurd attempts to detect him. Heron, after poring over him like a Dutch professor over an ancient classic, fixes upon Dunning as the author. Woodfall, who published the letters, thought Hugh Boyd was the man. It has been almost demonstrated that Sir Philip Francis was the culprit; and Dr. Waterhouse is solacing his old age with a volume of ingenious non-sequiturs to prove that it was Lord Chatham. The speeches and avowed writings of Lord Chatham bear the stamp of a mind not unequal to the compo-

sition of Junius. Burke's are, in my opinion, of a higher order. Were it ascertained that either of these was the political assassin who stabbed with the dagger of Junius, I should not add a particle of admiration for his talents, and should lose all my respect for his morals. Junius was essentially a sophist. His religion was infidelity; his abstract ethics depraved; his temper bitterly malignant, and his nervous system timid and cowardly. The concealment of his name at the time when he wrote was the effect of dishonest fear. The perpetuation of it could only proceed from the consciousness that the disclosure of his person would be discreditable to his fame. The object of Junius, when he began to write, was merely to overthrow the Administration then in power. He attacked them in a mass and individually—their measures, their capacity, their characters, public and private; charged them with every crime and every vice. Afterwards he followed his general assault by singling out successively the Dukes of Grafton and Bedford, Lord Mansfield, Sir William Blackstone, and the King himself. He magnified mole-hills into mountains, inflamed pin-scratches into deadly wounds, and at last abandoned his cause in despair at the very time when he might have pursued it with most effect. But, while he was battering the Ministry upon paltry topics that had neither root nor stem, he had declared himself emphatically and repeatedly on their side upon the only subject on which their fate and the destiny of the nation altogether depended—the controversy with America. The course that he took in the early stage of that conflict, and his disappearance from the theatre of politics at the time when it was ripening into the magnitude of its nature, have marked Junius in my mind as a man of small things, a splendid trifler, a pompous and shallow politician. His commentator, Heron, is just deep enough to admire his profundity. There is some information concerning the men and things of the time in Heron's notes and dissertations, with an abundance of Scottish self-sufficiency and prejudices. His philosophical and critical essay upon the rise and progress of eloquence, with its division into four periods, has some merit, and might lead to a more profound investigation of the subject; but his over-estimate of the

powers and eloquence of Junius, and the slighting manner in which he ranks him above Edmund Burke, is to me supremely ridiculous. It must, however, be acknowledged that in his enthusiasm for Junius he is not alone.

8th. Mr. Luke Drury, late Collector of the port of Bristol, Rhode Island, was here this evening. He brought me letters recommendatory from John Pitman, Judge of the U. S. District Court in that State, and from three other respectable persons, one of them rector of St. Michael's Church, at Bristol. Drury was, a few days before I left Washington, dismissed from his office of Collector for delinquency long continued and increasing, after repeated warnings. His appointment had originally been made under no good auspices, through the influence of James De Wolf, then a Senator from Rhode Island, and by the rejection of an honest man named Bates. Mr. Drury now acknowledged and deeply lamented his delinquency; seemed desirous of imputing it to domestic misfortunes and his having a numerous family to support, and rather intimated than affirmed that if time had been allowed him he would have paid up his arrearages by next May. He spoke of the ruin of his future, of the wreck of his reputation, of the distress of his family, professed religious compunctions, and shed tears.

I thought his religion and his tears out of place.

He appeared apprehensive of further measures of rigor against him to recover the moneys due from him as Collector. I told him that if he had any proposals to make soliciting an indulgence of time, he must address a letter to the Secretary of the Treasury, who would do everything consistent with his public duties to accommodate him; that I lamented his misfortune, and had with great reluctance resorted to the measure of removing him; that I could individually do nothing for him, but would readily assent to any indulgence of time which the Secretary of the Treasury might think proper to allow.

He asked if I thought he should be more likely to succeed in his application by going to Washington and addressing the Secretary in person.

I said it would make no sort of difference; that if he went in person he must still make his application in writing, and the

Secretary would decide upon it in the same manner whether he should see him or not.

After dinner I took out from the town library Torcy's Memoirs, and dallied away perhaps two hours in examining the passages relating to the bribe offered by Louis the Fourteenth to the Duke of Marlborough, and which, Junius says, was only not accepted. They are in vol. i. p. 141; vol. ii. pp. 15, 62, 67, 79, 89, and 158. The last is the explicit authority from Louis to Torcy to promise the Duke two, three, or four millions of livres, according to a graduated scale of terms favorable to France, upon which, by the Duke's influence, peace might be concluded. Torcy represents the Duke as greedy, avaricious, and personally interested in the continuance of the war; as having a commanding influence and entire control over the result of the negotiations, but insincere and full of dissimulation, professing an ardent desire for peace, and a profound reverence for, and personal attachment to, Louis the Fourteenth. Torcy says that he had at a prior period quietly listened to proposals flattering to his passion for unbounded wealth, and intimates that they had been made through the Duke of Berwick and the Marquis d'Alegre. Louis says that he had caused a promise of reward to be made to Marlborough if he should deserve it by his conduct, and that he was surprised at the obstacles he had thrown in the way of the peace after the assurances that he had given of his wish to contribute to that event. Torcy shows that the Duke sought private interviews with him, and affectedly referred to his previous intercourse with the Duke of Berwick and the Marquis d'Alegre, with all the particulars of which Torcy let him know that he was acquainted. He adds that the Duke most earnestly repeated the protestations of his desire to deserve the protection of the King of France after the peace, but that he (Torcy), receiving no aid from the Duke, made no positive engagement with him, but held with him such discourse as was suited to confirm the expectations he had formed; but that when he spoke to the Duke about his private interests, the Duke blushed, and appeared to wish to turn off the conversation. It appears, on the whole, that Marlborough was willing enough to receive Louis's money, but was not prepared

to give him any equivalent for it but heartless protestations and indefinite professions.

9th. The lists of visitors in the margin, on this and other days, are my only apologies for the loss of time, which I am constantly lamenting but never repair. Dean is a farmer and seller of baskets, from a neighboring town, who came from an overweening curiosity to see and talk with the President, and sold me a basket, but would not take for it more than a quarter of a dollar. Mrs. Royall came from Boston in the same stage with my son Charles. She is going to Plymouth, and travelling about the country to make another book. She continues to make herself noxious to many persons; tolerated by some and feared by others, by her deportment and her books; treating all with a familiarity which often passes for impudence, insulting those who treat her with incivility, and then lampooning them in her books. Stripped of all her sex's delicacy, but unable to forfeit its privilege of gentle treatment from the other, she goes about like a virago-errant in enchanted armor, and redeems herself from the cravings of indigence by the notoriety of her eccentricities and the forced currency they give to her publications.

Mr. Woodward was here but a moment. The Count dal Verme introduced himself as the son of a man of the same name, an Italian, who travelled in this country in 1783. He produced two original letters dated in that year: one, a letter of recommendation from General Washington; the other, a letter from Dr. Ezra Stiles, then President of Yale College, to the Count himself, announcing to him that a degree of doctor of laws had been conferred upon him at their recent Commencement. He had also a written paper in English, purporting to be a note from his father, and a list of names of persons of distinction in this country, from whom he states that he had received numerous kind attentions, and the note advises the son to visit the survivors of that list. Mr. Adams is one of the names at Boston, which must have been meant for Samuel Adams, but this young man supposed it was my father, who at that time, and for five years afterwards, was absent in Europe. I received and treated this Count with civility, but there was something so pe-

culiar in his self-introduction and his documents that I could not resist some distrust of his authenticity. He told me that he had come from Liverpool to New York, and was now going to Quebec.

Mr. Beale and Mr. Quincy paid short visits. The Mayor was somewhat exasperated against Mrs. Royall, who, he said, was this morning near being brought up before the Police Court.

11th. Immediately after dinner Mr. Quincy called, and I rode with him in his carriage to the railway. We found Colonel T. H. Perkins at the stone house which the company built there the last autumn. We walked with him to the quarry, were overtaken by a thunder-shower, and took shelter under the shed where the stone-cutters were at work upon the blocks for the Bunker Hill Monument. The railway has been about nine months in full and successful operation; but it appears to me that there has already some impression been made on the iron tire of the way, and still more on the pine-wood rail beneath it. Colonel Perkins and Mr. Quincy think not, but the Colonel has made an experiment for a small space, of substituting a granite rail in the place of the pine wood. This will be more durable, but may occasion the more rapid wearing out of the iron. The question still to be solved is the result of this undertaking with reference to profit. Colonel Perkins has great means, ardent public spirit, and pertinacious enterprise. It is generally thought that the greater part, if not the whole expense of the work, is sustained by him, and that he is liberal even to profusion in expense upon it. It has already been of great advantage to the town of Quincy, and promises to be of still more. But the danger that the railway may prove a bill of expense to its owners casts a shade over the whole enterprise, and rather increases than diminishes. Colonel Perkins is now about commencing a large hotel near the railway. The blocks of granite at the shed near the quarry are some of the most beautiful building-stones I ever saw. There is danger of accidents on the way; and Colonel Perkins himself has once been thrown from his horse over it, and fell at least twenty feet, but without much hurt, it being on soft ground.

12th. I had a visit from Mr. Isaac Waters, who had come

out from Boston. He mentioned that the papers from New York arrived this day announced the decease of Dr. Horace Holley, late President of the Transylvania University, at Lexington, Kentucky. He had some months since resigned that office, and had formed a project of going to Europe as a travelling preceptor to ten youths, whose parents were to furnish each a thousand dollars a year, for three or four years, to defray the expenses of this itinerant academy. Dr. Caldwell had told me some months since of the scheme, which I then thought somewhat romantic. In pursuance of it, however, Dr. Holley descended the river to New Orleans in June or July. There he found obstacles to the execution of his European tour which led him to abandon it, and he projected opening an academy in the neighborhood of New Orleans. Probably this undertaking had also failed, for he had embarked with his family for New York, and died on his passage, of the yellow fever, on the 31st of last month. He was a man of genius, learning, and eloquence, so conscious of his powers as to be discontented with the profession he had chosen, but without the address or good fortune, like Edward Everett, after stepping from the pulpit into the professor's chair, to make the second and larger stride into the forum. Waters says he was coming back to be the pastor of a congregation now building a new church at the south end of Boston.

I have had made four small wooden seedling-tubs, and this afternoon planted five tamarind-stones and eight pear-seeds in No. 1, and five tamarind-stones and six pear-seeds in No. 2. There is a question whether the seeds or stones from fruit of grafted or budded trees will germinate, and, finding nothing upon the subject in any of the books I have read, I am inclined to bring it to the test of experiment. In my summer-house nursery two more of my shagbark walnut-trees have come up, making now twelve within the walls. The horse-chestnuts and the oaks appear to have come up all nearly at the same time; but both here and at Washington the walnuts seem to come up in succession all summer through. In this branch of natural history my experiments have commenced so late in life, and are yet so little governed by a system pointing directly to use-

ful ends, that they may perhaps end in mere trifling, but that is not my intention. On the 8th of October, 1804, I planted perhaps forty walnuts in this garden, several of which came up the ensuing summer. One of them was transplanted to the garden of the house where my father was born, and lives, but is not yet in bearing; one only remains on the spot where the nut was planted, and, at the age of twenty-one years, last autumn bore perhaps two hundred nuts. Most of these I planted here or at Washington, and there are now thirteen of them here and twelve at Washington growing. But last year was my first experiment of planting acorns, and that has been partially successful here, and totally failed at Washington. Colonel Perkins told me yesterday that he thought our pasture white oak, well salted, as good for ship-building as the best live-oak. This is encouragement for me to persevere in my experiments, which I would leave as at once a charge and an inheritance to my children.

13th. I paid an evening visit, and on my return home found letters from R. Rush, Nathl. Frye, Jr., and B. O. Tyler. The last was from Harrisburg, Pennsylvania, dated the 7th instant, and announced the very sudden decease there, on the evening of the 6th, of Mr. Robert Little, the minister of the Unitarian church at Washington. He died, after an illness of little more than twenty-four hours, of an inflammation of the brain, after having preached morning and evening at Harrisburg, on Sunday, the 5th, the day before his death. This is an event deeply to be lamented by his congregation, of whom I was one. I had constantly attended on his ministration for the last seven years, though I had never formally joined his society. I did not subscribe to many of his doctrines, particularly not to the fundamental one of his Unitarian creed. I believe in one God, but His nature is incomprehensible to me, and of the question between the Unitarians and Trinitarians I have no precise belief, because no definite understanding. But Mr. Little's moral discourses were always good, and sometimes admirable. I listened to them with pleasure and profit, and shall miss them if I live to return to Washington. His place will not easily be supplied.

20th. [Ten names of visitors in the margin.] Mr. Cary is from Bridgewater, and came to renew a solicitation for the appointment of his son-in-law, Dunham, as keeper of a light-house now building in the State of Maine. I was not sure whether the place was yet open, or had been filled a few days before I left Washington. Cary asked me if I remembered a company of militia who, about the time of the battle of Lexington in 1775, came down from Bridgewater, and passed the night at my father's house and barn, at the foot of Penn's Hill, and in the midst of whom my father placed me, then a boy between seven and eight years, and I went through the manual exercise of the musket by word of command from one of them. I told him I remembered it as distinctly as if it had been last week. He said he was one of that company.

Colonel Thayer, Superintendent of the Academy at West Point, called here to take leave, being on his return to his post. He has been upon a short visit to his father, who resides at Braintree, where he was born. He said he had letters to a later date from the Point, and they were entirely satisfactory as to the present condition of the school and conduct of the cadets. He also mentioned that there would shortly be two or three professors to be appointed. R. G. Amory, who came with his son-in-law, Captain Freeman, invited me to dine with him on Thursday. Of our afternoon visitors, Mrs. Whittemore and Mr. Lorihg are relations of ours from Hingham. Mr. Loring urged me to make one of a party with other friends from Hingham to visit Nantasket Beach—which I promised I would. De Grand came out from Boston with Mr. Brown, who was a delegate from Boston to the recent manufacturing interest Convention at Harrisburg, Pennsylvania—which, he says, was conducted and terminated very harmoniously.

Lieutenant Schuler is the officer who last May was tried by a Court-martial upon two sets of charges, and sentenced to be dismissed upon both; but the remission of the sentence was in both cases recommended by the Court. It was accordingly remitted, and I added an expression of regret that the charges had been made subjects of a Court-martial. He now

came with great familiarity to tell me that he had been much hurt by the sentences of the Court-martial; that he wanted to get away from the army—would be glad to be attached to the Academy at West Point, or to the Artillery School of Practice at Point Comfort, or anything to get away from the army; and he asked my advice what he should do, observing that he might be insulted.

I advised him to repair to his post, and by the strict and undeviating propriety of his conduct to remove any unfavorable impression left by the decisions of the Court-martial; that by such conduct he would recover his character and probably avoid insult; but if he should be insulted he would have the remedies provided by the law in such cases.

He thanked me for this advice, said he would follow it, and went away. But his deportment drew the notice of the company present, and his breath was inflammable. He said he would go to see Colonel Thayer, at Braintree; but I informed him that the Colonel had left that place.

31st. I wrote to Mr. Clay, and occupied the morning with writing, and twice made the attempt to ride over to Dorchester to visit Mr. John Bailey. We had just turned the corner of my late Uncle Adams's house when we met Mr. Mills, the late Senator of the United States, with Harriet Welsh, coming to visit me. I turned back and received them. Mr. Mills appears to be more recovered from his illness than could have been expected last spring when he left Washington, but he is still much emaciated and very feeble. At the second trial to go with George to Dorchester, we had scarcely passed Mr. George Beale's house when we met Governor Levi Lincoln, Mr. James De Wolf, heretofore a Senator from Rhode Island, and General William H. Sumner, in a coach. I turned back again, and gave up the visit to Mr. Bailey for this day. Governor Lincoln has been some days at Boston, to attend the annual Commencement at Cambridge. He spoke of the late correspondence between his brother Enoch Lincoln, the Governor of Maine, and the Secretary of State, relating to our controversy with Great Britain concerning the Northeastern boundary, and expressed much regret at the temper which the

Governor of Maine had exhibited in it, apologized for his brother with proper brotherly regard, and said he had informed him that there was no participation here in that excitement which he had shown, or in the pretension which he seemed to have advanced, that all the documents of a negotiation with a foreign Government should be communicated to him as Executive of a State interested in the issue, even while the negotiation was pending.

I said I had perceived with much regret the earnest apprehensions which the Governor of Maine had expressed, in the correspondence alluded to, as to the progress and result of the negotiation; that with regard to the documents, the greatest objection to furnishing him with copies of them all was the great mass of them, comprising many folio volumes; that there had never been the slightest disposition to conceal any one of them from the Government of Maine, and that they had been at all times open to the inspection of every member of the delegation in Congress from the State; that the solicitude felt by the Governor of Maine for the issue of the negotiation was duly appreciated by me, as arising from an anxious sense of his own duty and the deep interest of the State in the event; that assuredly no sacrifice of that interest would ever be sanctioned by me, but that from the present temper of the British Government, shown not only in this but upon every other point in discussion with us, the prospects of an early and satisfactory result were absolutely desperate. It was extremely doubtful whether even the Commercial Convention of 1818 would be renewed. As to this Northeastern boundary, there was an express engagement which bound the parties to refer the question to the decision of a friendly sovereign; but the Commissioners had disagreed upon the facts, as upon everything else, and there was, and could be, no issue made up until a statement of facts could be agreed upon between the two Governments, to be submitted to the arbitrator. Mr. Gallatin was now engaged in effecting this with the British Plenipotentiaries; but whether it could be accomplished was altogether uncertain. The spirit of the present British Administration was so inveterately hostile that, unless some change should take place there, I could

not promise myself any favorable termination to the negotiations with them.

The Governor said that the reference itself of the question of boundary to any foreign sovereign was a subject of great aversion to the State of Maine; but that he himself had entire confidence in the constitutional organ of negotiation; that he proposed in a short time to visit Portland, in Maine, where he expected to see his brother, and should converse freely with him upon these concerns, and hoped to remove some of the apprehensions which he had harbored.

Day. I rise, on the average, about five. Journalize till half-past seven. Breakfast; visit my seedling nursery and the garden; read letters, dispatches, and newspapers, write letters or journal, and receive visitors, till two. Dine, and devote the afternoon to riding, visitors, and idleness. Evening the same, till its close, about ten. This life is diversified by bathing at the high tides, excursions, dinners, and fishing-parties.

September 10th. Charles brought me out from Boston a voluminous mail of dispatches and letters, the reading of which occupied me till near midnight; among them letters from J. R. Poinsett, the Minister to Mexico, and from B. T. Watts, Chargé d'Affaires in Colombia, in vindication, each, of his own conduct. He also brought intelligence of the decease of George Canning, the British Secretary of State for Foreign Affairs—an implacable and rancorous enemy of the United States. May this event, in the order of Providence, avert all the evils which he would, if permitted, have drawn down upon us, and all evil counsels formed against our peace and prosperity be baffled and defeated!

NEW YORK, *October* 11th.—After a quiet night, I found, on rising, that the boat had entered the East River, and soon after the light at Frog's Neck was extinguished, just as we were passing before it. At seven A.M., just after sunrise, we landed at New York, and walked to the City Hotel, where we breakfasted. From that time till noon a succession of visitors called, and I was urged to stop a day or two in the city. I was informed that a committee would wait upon me with a formal invitation to that effect. But I received two letters, one written

here last Saturday morning by Mr. Southard, informing me that he was then immediately going on to Trenton, with the intention of proceeding on Tuesday for Washington, the other from G. Sullivan, dated the 9th, and saying that after Mr. Southard had written the above letter, at the moment of his departure from New York, and not having time to write again himself, he had desired him to inform me that he had received a letter from Mr. Clay stating the necessity that all the members of the Administration should be at Washington by the 10th. That day is already past; but I resolved to proceed at once, whatever the occasion of this sudden summons may be. I mentioned this to Mr. King, who had strongly urged me to stay, as my motive for declining, and, at his request, consented that it should be publicly spoken of as my reason.

I received also a letter signed by William Patterson, William M. McDonald, Solomon Etting, Luke Tiernan, David Hoffman, and Richard B. Magruder, as a committee from an assemblage of citizens at Baltimore, inviting me in the most friendly manner to stop there a few days on my return towards Washington. I concluded to reserve my answer to this letter till I should reach Philadelphia, where I hoped to overtake Mr. Southard.

12th. At six this morning we embarked in the steamboat Burlington. At ten we landed at Philadelphia. A very great crowd of people were assembled on the wharf, who, as I passed through them, greeted me with three hearty cheers. Great numbers of them followed me to the United States Hotel, where, upon my entering the house, the cheering was repeated. Of my acquaintance, Mr. John Vaughan only had met me at the boat. I found at the hotel several others, and Mr. Sergeant immediately afterwards came in. They insisted with extreme earnestness on my remaining here this day, and told me that, that house being full, they had engaged apartments for me at the Mansion House, now kept by Head, and newly fitted up. Finding that Mr. Southard was in the city, I sent a request to him to call upon me, and in a few minutes he came. He informed me that the letter from Mr. Clay, on the receipt of which he had left with George Sullivan the message for me which induced me to come on without stopping at New

York, was written under the apprehension of an impending war with the Winnebago Indians, and an impression that some decisive step should be taken, which would require a deliberate consultation of the whole Cabinet. But, by advices since received, it appears that the two Indians who had committed the murders which it was expected would kindle the war have surrendered themselves up to the authorities of the United States, and that the danger of further immediate hostilities has subsided. The necessity for my immediate return to Washington being thus removed, I consented to remain here this day, and came to the lodgings which had been engaged for me at the Mansion House. The Count de Survilliers[1] and the Prince de Musignano visited me before I left the United States Hotel, and I met Bishop White, going to call on me, as I was passing from one house to the other. From the time when I entered the Mansion House till three o'clock there was a constant stream of visitors, the greater part of whom were unknown to me. Among them was Mr. Moore, the Director of the Mint, who brought with him a small sealed box, received from Mr. Gallatin, containing a brass pound troy weight, made after the standard imperial pound troy proclaimed by Act of Parliament. Mr. Moore said he had received this some time since, and had kept it till now, to open it in my presence, and he wished me to sign a certificate of this operation; to which I readily assented. Upon which he broke the seals, opened the box, and drew out the troy pound, which had been made with great care. There was with it a certificate of Mr. Gallatin, annexed to one of verification from Captain Kater, who, at Mr. Gallatin's request, had performed the comparison with the imperial standard pound. The superscriptions on the box were in Mr. Gallatin's handwriting, and the seals were with his seal-at-arms—both well known to me. Mr. Moore had drawn up the form of a certificate to be signed and sealed by me, to which I suggested a slight addition, by inserting the inscription engraved upon the pound. Mr. Moore will bring it to be executed to-morrow.

[1] The title by which Joseph Bonaparte was known in America during the time that he had a residence at Bordentown.

I dined with Mr. Southard, at Mr. Sergeant's, and, early in the evening, called on Mr. Hopkinson. Found him and his family in deep affliction, having within this week received intelligence of the death of his son, Lieutenant Alexander H. Hopkinson, upon service in the Mediterranean squadron. He spoke to me of the desire of the Count de Survilliers that his son and daughter might have a passage in our ship-of-the-line Delaware, which is soon going out to the Mediterranean. I returned to the Mansion House, and received visitors again till after ten.

13th. Mr. Bache, the Postmaster, yesterday delivered to me a letter, which I found was a duplicate of the invitation from Baltimore which I had received at New York. Thinking I had no adequate excuse for declining this manifestation of kind feeling from my friends in that place, I wrote this morning an answer accepting it and promising to pass the day there on Monday—which I sent to the post-office. Mr. Southard breakfasted with us, and immediately afterwards I went with him and visited the navy-yard, where we were received by Commodore Bainbridge and by Major Miller, with his guard of marines. A salute was fired on our arrival. We went on board of the line-of-battle-ship Pennsylvania, now on the stocks building, to carry one hundred and thirty-six guns, and said to be the largest ship that will float upon the ocean. She is built chiefly of live-oak, and looks like a city in herself. She is under a permanent covered building, as are a frigate and a sloop of war building at her side. Commodore Bainbridge introduced me to the other officers at service at the yard, and showed me all the offices connected with it. From the navy-yard we went to the Asylum for Seamen, a marine hospital, building under the superintendence of Mr. Strickland. It is three hundred and eighty-four feet front and eighty feet deep, and will be, when finished, a magnificent edifice. Mr. Strickland showed us the plan of the building, and went with us over the parts of it that are finished. They have here some granite resembling, though much inferior to, that of Quincy. They build here also much of marble, of which they have fine quarries not far distant. We returned to the Mansion House

shortly before eleven, and I received visitors again till near twelve. Mr. Moore, the Director of the Mint, came, and I signed and sealed the certificate of opening the box containing the troy pound weight from England.

Mr. Biddle, the President of the bank, brought me the books of dividends on the U. S. Bank stock, on which I signed receipts for the two last. Mr. Jones, the Collector, gave me a statement of the accruing revenue of the present year at this port. Mr. Lowndes introduced to me several persons from South Carolina.

Among the visitors was Captain Wills, who was master of the ship America, in which we came from Hamburg to Philadelphia in the year 1801. The old man had an appearance of decay and of poverty, and asked me if I could not give him a place. Judge Washington is holding the U. S. Circuit Court here. Before I went to the boat, J. Sergeant took leave, being obliged to attend the eulogy to be delivered upon the late Chief-Justice Tilghman by H. Binney, at noon. At the same hour I came on board the steamboat Delaware, Captain Wheldon. Mr. Jones and several other of my friends accompanied me to the boat. On the wharf a crowd of several thousands of persons were assembled, many of whom followed me into the boat, and thronged the deck till it became almost impassable. I then addressed those of them nearest to me, and told them I should be glad to shake hands with them all if they could make a passage for one another to come to me—which they immediately did, and between two and three hundred of them shook hands with me and passed off, till the signal-bell, which had been a full half-hour delayed, rang for the departure of the boat. All but the passengers then left her, except D., who lost the moment for stepping on to the wharf, and came with us to New Castle; saying he would pay a visit to his friend Dupont at Wilmington. As the boat left the wharf, three hearty cheers were given by the assembled multitude, which were repeated when she passed down before the wharves after fetching a sweep round the upward stream. I returned their salutation by a bow, waving the hand, and saying, "God bless you all!" There was not the slightest disorder.

These shadows of good will from my fellow-citizens I hope affect me suitably. Grateful to them and to Heaven for their benevolence, imploring aid for the fulfilment of the duties which they reward and impose, and mindful of the pinnacle from which they warn me to prepare for descending, I trust that no vain or unworthy sentiment of exultation mingles with the cheering glow of the thoughts and the solemn reflections which they excite in my mind. The excitement and confidence of my friends at Philadelphia is at this moment in the flood, from their success last Tuesday in carrying the election of John Sergeant as their Representative in Congress against Joseph Hemphill.

14th. Captain Trippe informed me last evening that he had been requested by the committee to give them immediate notice of my arrival at Baltimore, that they might come and receive me on board the boat at the wharf. But, as this would be giving them useless trouble, I resolved to go to the inn immediately upon the arrival of the boat, and desired Captain Trippe to give notice to the committee in the morning that I was there. I turned into a berth early in the evening, and at half-past two was awaked by my son with the notice that we were at the wharf. We came immediately to Barnum's Hotel, where I went again to bed, and slept till sunrise. It was still later when I rose, and a few minutes after Mr. David Hoffman, a member of the committee, came in. I told him that I had answered their invitation at Philadelphia yesterday, and presumed Mr. Patterson would receive my answer by the mail this morning, and that I had agreed to pass the day here to-morrow. He said that an unexpected and embarrassing incident had occurred in the death of Colonel Howard on Friday night, as his funeral was fixed for to-morrow, and would necessarily occupy a great part of the day, and he asked if I could, without inconvenience, remain one day longer. I said that under such circumstances, and with a view to show my respect for the memory of Colonel Howard, I should readily attend the funeral, and would also remain here on Tuesday. Mr. Hoffman then went to the meeting of the committee, and they all called upon me after breakfast. They proposed to give

notice that I would receive the citizens of Baltimore; that I would receive their visits to-morrow and on Tuesday; publishing to-morrow morning their letter of invitation and my answer; to which I assented. I attended public worship in the morning, with Mr. Patterson, at the First Presbyterian Church, and heard Mr. Nevins from Luke xiii. 30: "And, behold, there are last which shall be first, and there are first which shall be last." After the service I spoke to Mr. Nevins, and Mr. Patterson introduced me to his son, and to his grandson, Jerome Bonaparte. Mr. David Hoffman dined with us at Barnum's, and in the afternoon I attended, with Mr. Tiernan and Mr. Hillen, at the Roman Catholic Cathedral. The service consisted of singing selections from the Psalms, with accompaniment of the organ, and a short sermon upon the lesson of the morning, the parable of the royal banquet. After the service, Mr. Tiernan showed me the two large pictures presented to this church by the late and the present Kings of France. All the members of the committee took tea and spent the evening with me, and introduced several of their friends. It rained heavily, with little interruption, the whole day; notwithstanding which, Mr. Southard went on to Washington.

I received a note from the family of Colonel John Eager Howard, informing me of his decease, and that his funeral would be from his late residence at ten o'clock to-morrow morning. Mr. Benjamin Chew, his brother-in-law, came also to give me the same notice, which, he said, they wished to do in the most respectful manner. He spoke also of his own ancient regard and friendship for my father, with some allusion to the political hostility to me of Colonel Howard's eldest son, which he intimated was on the present occasion altogether discarded. I told him that I could entertain no other feelings than of respect for Colonel Howard and his family, and that I should take a melancholy satisfaction in attending the funeral, as affording me the opportunity to show that respect, and with oblivion of all political hostilities whatever.

15th. The invitation of the committee, with my answer, was published in the newspapers this morning, with notice to the citizens that I should attend the funeral of Colonel Howard,

and would receive visitors from three to four this afternoon, and from seven to ten this evening. Before the funeral I received the visits of the members of the Cincinnati, with General Samuel Smith at their head, and his son, John Spear, one of their number. Mr. Patterson went with me in my carriage to Belvidere, the late residence of Colonel Howard, and thence in procession to the place of interment. The procession was very long, and attended by the militia of the city in military array, as well as by great multitudes of the citizens. It made a circuit through the principal streets of the city, and, the day being fair, the whole population appeared to be in the procession, or witnessing it from the sides of the streets and the windows of the houses. The funeral service, according to the forms of the Episcopal Church, but abridged, was performed by Bishop Kemp, and partly by another clergyman. The procession was not renewed in returning from the graveyard. I had seen Colonel Howard, when living, only two or three times —the last on the day of General La Fayette's entry at Baltimore, three years since. I this day took a last view of his lifeless face before the procession moved from his house.

It was near three in the afternoon when I returned to Barnum's Tavern, and from three to four I received, in the large hall of the house, a great number of visitors; then dined with the committee and a small party of friends invited by them— about thirty. On retiring from them, after dinner, I gave them for a toast, "The living and the dead, Charles Carroll of Carrollton and John Eager Howard," and, returning to the great hall, received visitors from seven till ten o'clock in the evening. They came in a continual, unceasing stream, to the number, it could be scarcely less than, of two thousand. The hall was much crowded nearly the whole time, though few, if any, remained there more than ten minutes. I shook hands with them all, and among them all there were not twenty whom I had ever seen before. There were people of all classes and all political opinions. There was last week an election for members of the State Legislature, in which the friends of the Administration, both in the city and county of Baltimore, were unsuccessful; and it was followed by a duel between two of the

candidates. The excitement remaining here was not less than I found it at Philadelphia, but it was not equally cheering. Among those who came there were no small number of my political adversaries, but, with the exception of three or four, all of whom were intoxicated, they gave no manifestation of it. One man was noisy and boisterous for two or three minutes, and upon being asked his name, answered that it was McMahon, a brother of the candidate for the Legislature. One said to me that, although opposed to me, he was glad to see me well and to take me by the hand. I answered him, "We are all friends *here*," and thanked him for his good will. One very much in liquor, while shaking my hand, said, "Mr. President, I hope the Constitution may never be broken." I answered, "I concur heartily with you in that wish, and hope also that *your* constitution may never be broken." By far the greater number barely came up, shook my hand, and passed off. Some said a few words expressive of their cordiality, and many told me they hoped I should be re-elected. About ten o'clock the hall was nearly cleared, and I retired, somewhat exhausted, to bed.

16th. I rose this morning refreshed by sleep, but later than usual, and anxious for the issue of the day. Immediately after breakfast I went, accompanied by the committee and by a few others, to the battle-ground near North Point. Mr. Patterson and Mr. James H. McCulloch, the Collector of the port, went with me in my carriage. General McDonald, Mr. W. W. Barney, the Naval Officer, N. F. Williams, and several others, followed in carriages or on horseback. The distance is about nine miles from the town, over a barren country, covered great part of the way with forest-trees, now undressing for the winter. General McDonald, Mr. McCulloch, Barney, and Williams had been in the battle—McCulloch and Williams both wounded, and McCulloch taken prisoner. He had gone out as a volunteer, though already then past the usual fighting age; and I was much entertained with his account of the incidents which occurred to him upon this expedition. He was wounded very near to the spot where General Ross was killed. There is a small monument erected by the company of First Mechanical

Volunteers, attached to the Fifth Regiment of Maryland militia, to the memory of Aquila Randall, one of their number, who fell in the same action of the 12th of September, 1814. It is a pyramid of white stone, about four feet high, resting on a pedestal, with suitable inscriptions on its four sides. These inscriptions, with an account of the erection of the monument on the 28th of July, 1817, and the address of Captain B. C. Howard, commander of the company at the time, are contained in Niles's Register of the 2d of August of that year—vol. xii. p. 367. There are no other traces of the action there at present, though Mr. Barney showed me an oak-tree in which, he said, more than twenty of the enemy's musket-bullets had lodged. We returned to the city about one o'clock, riding round by way of Fell's Point. I picked up under the wounded tree half a dozen white-oak acorns, to plant them at Washington.

After returning to the city, I received visitors again in great numbers till four o'clock. Among them were Bishop Kemp and many of the clergy, all the Foreign Consuls, the Mayor and City Councils, and the President, Vice-President, teachers, and students of St. Mary's College. The Vice-President, Mr. Eccleston, read to me a very handsomely written and highly oratorical address, which I answered extemporaneously, with great brevity, first to himself, and then by a short exhortation to the students. Among the visitors were also Dr. Glendy, his colleague, Mr. Breckenridge, Mr. Nevins, and Mr. Burnap, whom I heard last summer at Medford, and who is now preaching at the Unitarian church here. There were also Mr. Wilson, of Charleston, S. C., whom I had seen at Quincy; Mr. Gales, one of the editors of the National Intelligencer; and Mr. Salazar, the Minister from the republic of Colombia, who introduced to me Mr. Velez as Chargé d'Affaires from that Government, he being himself recalled, and shortly to return home. He spoke of a complaint which, by order of the Vice-President, Santander, he had addressed to Mr. Clay against Beaufort T. Watts, our Chargé d'Affaires at Bogota, for a very strange letter which he wrote to the President, Bolivar, and which he published.

I told Mr. Salazar that that letter had been unauthorized, and was disapproved by me.

He said Mr. Clay had given him the same information; and he wished as much as possible to soften the complaint against Mr. Watts, whose letter, he said, had been attributed to indiscretion rather than to any evil intention. He said that on the 4th of July last Mr. Watts had given a public dinner, at which the Vice-President, Santander, had attended, and he hoped the misunderstandings between them had been in a great measure healed.

I dined again with the committee and a party of about thirty persons, consisting of the members of the Cincinnati and of the persons wounded at the battle of North Point. General S. Smith sat at my right hand, and the Collector, McCulloch, at my left. The dinner was short. A single toast by the committee: "The United States of America—may other countries learn from them that the easy access of the people to their rulers is the means of confidence on the one side, and of right government on the other!" Soon after which I gave, "Ebony and Topaz—General Ross's posthumous coat of arms, and the republican militiamen who gave it," adding a short explanation of the allusion in the sentiment to the tale of Voltaire.[1] Upon retiring from the table, I offered my final thanks to the committee and to the citizens of Baltimore for the kindness of the reception they had given me, and proposed as a toast, "Baltimore, the Monumental City—may the days of her safety be as prosperous and happy as the days of her danger have been trying and triumphant!" I then received visitors again from six to eight o'clock, and, after once retiring, was obliged to go down again and receive a fresh stream. On finally withdrawing, I addressed those remaining in the room, and requested each and every one of them who had at home a wife, or a mother, or a sister, or a daughter to shake hands for me with her, and tell her that in shaking hands with him I did, in heart, the same with her. Between ten and eleven I returned to my lodgings and sought the repose of night, grateful for the kind

[1] Le Blanc et le Noir; to be found in that part of his work under the head of "Romans."

and friendly entertainment that I have experienced here—grateful to a Higher Power for the expiration of the term that I have consented to remain here, and for the fulfilment of the promise which I had made in passing through this place two years since, when I missed receiving the invitation then intended for me.

17th. I left Baltimore between nine and ten this morning, in my own carriage, which Mrs. Adams had sent there for us last Thursday with the coachman. The committee, in a carriage, and about twenty gentlemen on horseback, came out with us as far as the turnpike, where I got out of the carriage, and they dismounted; and, after I had returned them again my thanks for their kindness, we finally parted. We stopped a few minutes at Merrill's. Mr. Proud was there, and five or six gentlemen of the neighborhood, whom he introduced to me. At four in the afternoon we arrived, safe and well, at Washington, where I found my family well, excepting Mrs. Adams, who, though not confined, is unwell, and a few days since was very ill. She had invited Messrs. Clay, Rush, Barbour, and Southard to dine with us; which they did. I spent the evening with my family. My excursion of eleven weeks has been particularly beneficial to my health. Care and trouble belong to every age and every place—I have found them there, I meet them on returning home. But they end with life, and it is time for me to prepare earnestly for that end. I find creeping upon me an aversion to labor, the reverse of that devotion to it which has hitherto sustained me in all my trials. This is the most alarming symptom of my present moral condition. The remedy is in the hands of Him who controls the will as well as the actions of men. "So teach me to number my days that I may apply my heart unto wisdom."

18th. I found on my table yesterday a great budget of letters, the seals of which I left unbroken. This morning, from the moment of my rising till breakfast, I was employed in opening and reading them, without getting through the task. Setting aside applications and recommendations for office, there was nothing in them worth the time consumed in the perusal of them—a reflection which I find myself very often under the necessity of making. Of the immense multitude of letters that

I have received and been doomed to read since I have held my present office, one small file would embrace all that are worth preserving. The visitors of this day, noted in the margin, amounted, I suppose, to about a hundred and fifty, including the mail contractors. The first of them, the Reverend Mr. Dugan, came to solicit a contribution for a Roman Catholic church at Brownsville. Mr. Black, for a subscription for a chart of the coast of the United States, to be published by Mr. Blunt. Next came two men claiming a reward for taking Willis Anderson, a man charged with murder, and for the apprehension of whom a proclamation issued on the 10th of September, offering a reward. He was taken in Pennsylvania, brought to the District, and lodged in jail yesterday. I referred the men to the Department of State, where they received the reward. Mr. Graham came with two persons from the State of Ohio, Drake and Chafey, still remonstrating against the fixing of the Land Office at Tiffin. The time at which it had been determined that this should be done was the 1st of November next, but, upon their representation that the unhealthiness of the place has been confirmed even by the experience of the last summer and of the present time, I agreed that the final decision should again be postponed till the meeting of Congress. This subject is contested as if the fate of the Union depended upon it.

Mr. Clay came, and introduced the committee of the mail contractors, who had passed a written resolution that they would in a body visit the President and the Secretary of State, and they enquired at what time I could with convenience receive them. As some of them were going away to-morrow morning, I fixed upon four o'clock this afternoon. They then came in procession, upwards of a hundred in number. I received them in the winter parlor, shook hands with them all, and, at the suggestion of Mr. Clay, who said they would perhaps be glad to see the house, showed them the rooms on the lower floor and those above, with the exception of the bedchambers. There was cake and wine served to them, and I drank success to them all, through highways and byways. Their visit was over in about half an hour. These are persons from all parts of the Union, who at this time of the year come

to offer proposals of contracts for carrying the mails. Each contract is for three or four years, but a certain proportion of them expire every year, and this is the time for the renewal of them. As the post-roads and the number of the mail conveyances increase, this body of men increases every year with them. This, I believe, is the first time that they have assembled and acted as a body. Besides them, the visitors of this day were principally the officers of the Government. Mr. Darby, the geographer, brought a Gazetteer that he has recently published. Commodore Rodgers I saw for the first time since his return from the Mediterranean. Mr. Duval is the Governor of the Territory of Florida. Colonel Roberdeau called with two officers who have been employed on surveys in Vermont, and he afterwards sent me an old rusty remnant of a coat of mail, found there under ground. Colonel Huger called with his son, a lieutenant in the army, for whom he wishes to obtain a furlough to visit France.

19th. I was called from breakfast to see Mr. Anderson, the Comptroller, and from that time a succession of visitors followed, till past three o'clock P.M., chiefly of persons in office under the Government.

Mr. Clay spoke to me of instructions to be given to Mr. Gallatin respecting the question of the Northeastern boundary; to Mr. Poinsett respecting the denunciation of him by the Legislative Assembly of the State of Vera Cruz; and to Mr. Tudor, who is appointed Chargé d'Affaires at Rio de Janeiro; also of the complaint against Beaufort T. Watts by the Vice-President of the republic of Colombia. I had a long conversation with Mr. Anderson upon political topics of a general nature. Mr. Rowe is one of the mail contractors from the State of Ohio, who, not having been here with the rest of the body yesterday, came this morning alone. I showed him over the house, as I had done with the others. Mr. Paimbœuf is from Louisiana, and came with Mr. Brent to solicit the appointment of Consul at Curaçoa. He has been an applicant before, and is recommended by some of the delegation from his State. I directed that a commission should be made out for him.

Mr. Fenner has been for some years a clerk in the War De-

partment; but in the sedentary life and occupations of his office his health became disordered, and his medical adviser informed him that his continuance there would be at the peril of his life. He obtained some time since a leave of absence from his office, providing a substitute for the performance of its duties, and has been qualifying himself as a minister of the Episcopal Church. He now wishes to exchange offices with Mr. Walter Addison, who is chaplain at the navy-yard, and who is equally desirous of the exchange. His office is in his person merely nominal and a sinecure, and the salary at the War Department is more than double the other. I told Mr. Fenner that, with the assent of the heads of the War and Navy Departments, I was not aware of any objection to the proposed exchange. But he enquired whether as chaplain he would be liable to an order to go to sea. He was apprehensive that his health would not admit of this. I said I could not promise him any exemption, but that on this subject he would receive all suitable information from the Secretary of the Navy.

22d. Mr. Southard was my only visitor. I showed him a letter that I had received from Mr. Hopkinson, of Philadelphia, repeating a request about which he had spoken to me in behalf of the Count de Survilliers, that his son and daughter might have a passage on board the line-of-battle-ship Delaware, going to the Mediterranean. Mr. Southard said he had received a direct application to the same effect; that they might have the passage, unless there were political considerations for declining to comply with the Count's request. I thought there were none of sufficient importance to justify the refusal. Mr. Southard said it would be necessary for him to ascertain where they would wish to be landed, and that some arrangement should be made to provide for the expenses on the passage, without occasioning a charge on the public funds.

We spoke also of the appointment of Commissioners of the Navy Board. Commodore Rodgers, since his return from the command of the squadron in the Mediterranean, has been recommissioned to the Board. But Tingey is extremely desirous of withdrawing from the Board and of going back to his command at the navy-yard here, particularly as there is an

unsettled question of rank between him and Rodgers, which may slumber unless they are brought together as members of the same Commission. We looked over the list of captains in the navy for one to substitute in the place of Tingey, and found none among those of early date who could without inconvenience be selected. The practice has been to confine the appointments at the Board to the officers of the longest standing, and who have commanded squadrons. I suggested to Mr. Southard the consideration whether it might not be proper in future to appoint one of the three from among the junior captains, in which event we should now have no difficulty in making a choice.

23d. Mr. Clay spoke to me again of the instructions to be prepared for Mr. Gallatin relating to the Northeastern frontier. He spoke also under some excitement of the political course of conduct pursued by Mr. McLean, the Postmaster-General, whom he believes to be bitterly, though insidiously, hostile to the Administration.

Mr. McLean has greatly improved the condition of the Post-Office Department since he has been at its head, and is perhaps the most efficient officer that has ever been in that place. But it is a place of more patronage and personal influence than those of all the other heads of Departments put together. In the exercise of this influence, Mr. McLean has so managed as to conciliate to himself all the opposition party, while every other member of the Administration has been the object of the most violent and outrageous abuse. Many of the friends of the Administration believe that Mr. McLean has secured to himself this exemption from persecution by a system of duplicity in his conduct, and by favoring, so far as has been in his power, the views of the opposition. I have been slow to believe this, and, while he himself has repeatedly protested his firm and faithful attachment to the Administration, no decisive act of his has been detected necessarily importing his insincerity. Mr. Clay mentioned some cases in the present distribution and modification of his contracts which have an unfavorable aspect, but nothing of which it appears to me that notice can be taken. His friendship is suspicious; his war is in disguise.

25th. I walked this morning before breakfast to Georgetown, and, returning, stopped at Mr. Rush's house. He has been several days confined there, unwell, of which I was informed only by the National Intelligencer of yesterday morning. The servant who came to the door told me that he was not up, but so much recovered that he intended to go this day to the Treasury. He afterwards came to see me, but without transacting business. Mrs. Johnson is a young woman of pleasing personal appearance and education, who came to solicit an appointment of clerk in any of the Departments for her husband. She gave me a full account of their domestic establishment and their urgent wants—a mother, two sisters, an infirm brother, to support; all without means. She repeatedly expressed the hope and belief that I was accessible, and assured me of the everlasting gratitude of the whole family if I would give an office to her husband. It is among the heaviest burdens of my place to hear this cry of distress almost every day of the year, often several times in a day, and scarcely ever to have it in my power to administer the desired relief. There is no pleader of this cause so eloquent as a young and handsome woman, and none who ought to be more firmly resisted.

I told Mrs. Johnson that the law gave the appointment of clerks in each Department to the head of the Department itself, and that any interposition on my part, unless desired by them, was unusual, and perhaps improper. I advised that her husband should apply personally to the heads of Departments, and furnish testimonials of good character and fitness for the office he wished to obtain; and if the head of Department should consult me upon the appointment, I would say in favor of her husband what I could with propriety.

Mr. McLean, the Postmaster-General, said it was the first day since my return that he had been able to call upon me; that for the last fortnight he had been every day at his office from early in the morning till night, having even his dinner sent him there from his house. He has now nearly got through his business with the contractors, and says the new contracts will afford very great additional facilities both to the trans-

portation of the mails and for travellers. I desired him to furnish me, at his convenience, the usual annual report for the preparation of the message to Congress.

Dr. Watkins called, with a letter from A. H. Tracy, the former member of Congress from the western part of the State of New York, enquiring, with great solicitude, whether I am, and also whether General Jackson is, a Freemason. He says that it is circulated there with indefatigable assiduity that I am, and that he is not, a Mason; that the object of these reports is to influence the elections, and that they do more powerfully operate upon it there than all other electioneering topics put together. About fifteen months since, a man by the name of William Morgan published, or attempted to publish, at Batavia, a book professing to divulge the secrets of Freemasonry. He was shortly afterwards kidnapped, carried away, murdered, and thrown into Lake Ontario, where his body has within a few days been found. No positive proof of his death had been till now produced; but as there has been ample evidence of a conspiracy among the Freemasons, which succeeded in carrying him away, and had the purpose of destroying him, the consequence has been a universal excitement and popular fermentation in that vicinity, which has extended throughout New York, and has at length brought a mass of obloquy upon the institution of Masonry itself.

I told Watkins he might answer Tracy that I am not, and never was, a Freemason, but whether General Jackson is or not I do not know.

26th. This morning, as I was dressing in the dark, standing by the table on which my chronometer, made by French, was laid, I perceived that it suddenly stopped. I had not touched it, nor has any violence happened to it, from which I could account for this accident. My father once lost the seal-at-arms which he had used for many years, and with which he had sealed the Treaties of Peace with Great Britain, of November, 1782, and September, 1783. The cornelian-stone had dropped from its golden setting. It was found the next day; and he told me that the loss of that seal had affected him more than so trifling an incident ought to have done. That seal he afterwards gave

me, and it is now in my possession. The stopping of my chronometer this morning reminded me of my father's remark upon the loss of his seal. It affected me more than it ought to have. It was like the desertion of a friend upon whose fidelity you have leaned with unsuspecting confidence. My chronometer is the first time-piece that I ever possessed upon which I could for any length of time depend. It now betrays my confidence, and I can take no true note of time. And what says the moral? "Lean not on friendship or on time."

Judge Thruston came to solicit an appointment in the Marine Corps for one of his sons. He complained that this son had not received the appointment before; complained that too many appointments were given to foreigners, and that due attention was not paid in the distribution of offices to natives and to the families of Revolutionary worthies. The Judge himself holds under the Government a judicial office for life. He has one son a high-salaried clerk in the Department of State, and one son an officer in the army. These are in substance all lucrative offices for life; and I intimated to the Judge that I sometimes heard complaints that too many places were accumulated in families. He felt the remark; and I told him that I should favor the application of his son as far as I could consistently with propriety.

29th. Mr. Clay took back the draft of instructions to William Tudor, as Chargé d'Affaires at the Court of Rio de Janeiro, which he had sent me, and I had read and approved. He said also that the friends of the Administration in Kentucky were taking measures for acting in concert at the elections of the next year, and that he had received an application from a committee asking whether I should be willing to receive from them and answer certain direct enquiries in relation to my public accounts, and also relating to my conduct as a member of the Senate upon the acquisition of Louisiana. He observed that the misrepresentations with regard to my accounts, which had been circulated from speeches in Congress and in the newspapers, had been of the most pernicious influence upon the late elections in Kentucky.

I told him that I was aware of the uses which had been made, and were making, of these misrepresentations, but that

I did not think there would be a propriety in my corresponding with an electioneering committee on these subjects. I was aware that it is the usage in Kentucky for candidates to offices conferred by the suffrages of the people to offer themselves and solicit votes—a natural consequence of which is, that they are called to account before the people, and to answering charges against them, or enquiries made of them, respecting their conduct or principles. But this has not been customary with reference to the office of President of the United States, and I should not be willing to set the precedent. As to my accounts, I had partly prepared a statement of them to be laid before Congress at the next or succeeding session. This appeared to me the most proper manner of exhibiting the facts to the public, and the Congressional documents will show my conduct in relation to the purchase of Louisiana.

30th. Mr. Rush had an hour's conversation with me concerning the preparation of his annual report on the finances. He proposes introducing into it collateral views of political economy, more than has been done by any of his predecessors since Hamilton. He concurred with me in the marked superiority of Hamilton's reports over those of his successors; his own form the first exceptions, and his intention is that the next shall be still more distinguished, by a discussion of principles and deduction of consequences applicable to the revenue. He also promised me, in about ten days, the minutes from the Treasury necessary for the preparation of the message.

November 1st. Governor Barbour and Mr. Clay were here together. The Governor had a letter from a friend of his, named Stewart, who has been for thirty years or more one of the electors of President and Vice-President, and who gives him some account of electioneering movements in Virginia favorable to the Administration, and some advice to avoid controvertible matter in the message to Congress—which, I told the Governor, I was disposed to do, believing that the first, and perhaps the last, of my annual messages would be the only occasions proper for an avowal of general principles.

Mr. Clay spoke of the dispatches last received from Mr.

Gallatin, which inform us that he has agreed upon another Convention with the British Government, which is to regulate the reference to a friendly sovereign of the question relating to the Northeastern boundary. He said Mr. Gallatin would come home, and that he regretted his omission to present the formal claim of our right to navigate the St. Lawrence River.

7th. At one o'clock Mr. Clay came, and introduced Mr. Rumpff, who delivered to me three credential letters from the Senates of the Hanseatic cities of Hamburg, Lubeck, and Bremen, signed by the Burgomaster, President of Hamburg and Lubeck, and the President of the Senate of Bremen. He has the character of a Minister Plenipotentiary from the Hanseatic cities upon a special mission to negotiate a treaty of navigation and commerce. In delivering the letters, he addressed to me a very few words expressive of the desire of the Governments of the Hanseatic cities to cultivate the friendship of the United States and their Government, which I answered as briefly, by assuring him of our reciprocal feelings, of my own regard for the Hanseatic republics, and of my determination to foster and promote to the extent of my power our commercial intercourse with them.

Mr. Clay read me a letter from Mr. Webster, written at New York on Monday morning, the first day of their elections for the State Legislature, and he left with me a letter from W. B. Rochester, also at New York, of the evening before. It is apparent from these letters that the opposition, under the management of Van Buren, have carried the elections in the city and throughout the State. Rochester's letter is, however, remarkable in several other respects. He urges Mr. Clay most vehemently to be a candidate at the next election for the Vice-Presidency. He declares that if I had been so inconsiderate as to offer him the appointment of Minister Plenipotentiary to the republic of Colombia he would have rejected it, and he wants a passage in a public ship to go and patch up his crazy constitution at Guatemala till the 4th of March, 1829. He also very distinctly intimates that if I had offered him the Plenipotentiary mission he should have refused it, to remain

at home and be a candidate for the office of Governor of New York next year, because in that event there would have been a possible chance of success.

Mr. Clay also renewed his complaints against the Postmaster-General, McLean, whom he charges with using perfidiously the influence and patronage of his office, which is very great, against the Administration. In these New York elections, it appears that the influence of almost every officer, both of the custom-house and of the post-offices, has been violently hostile. Mr. Barbour also made the same complaint, but there is no specific fact mentioned which could be distinctly laid to the charge of any one. He brought me a bundle of papers relating to the funds held in trust for the Seneca Indians; and Mr. Rush an additional document concerning the claims of the brothers Baring, showing that Colonel Lane had received credit for the sum in his accounts. Mr. Rush is alarmed for the revenue, by a recent great failure in New York.

9th. Mr. Brent took back, signed by me, three answers to letters of form from Kings—one from the Emperor of Brazil, announcing the death of his wife last January, one from the King of the Two Sicilies, announcing the birth of a son, and one from the King of Sweden, announcing the birth of a second son to his son, Prince Oscar. He took also the papers relating to a question which has arisen in the Territory of Florida upon the decease of a Mr. Purves, the British Vice-Consul there. A Mr. John Inerarity, as his agent, and as Consular Agent, authorized by the Consul-General, Baker, claims possession not only of all the official papers but of all the effects of the deceased, without giving bond to the Probate Judge, conformably to the Territorial laws; and Mr. Vaughan maintains him in this pretension by the allegation of a custom.

Mr. Clay had conversed with me on this subject, and I told him I knew of no such custom, but desired him to consult the books and ascertain if there was any, and also to call upon Mr. Vaughan for his authority in alleging it. I also doubted our authority to interfere with the operation of the Territorial law regarding the administration of testamentary or intestate estates, though I thought we might write an advisory letter to

the Judge to exempt the official papers and effects from the requisition of bonds for their delivery.

I remarked also upon the singular contrast between the pretension of Inerarity, sustained by Mr. Vaughan, in behalf of Consuls, and the practice of the British Government, sustained by the opinions of their crown lawyers, exemplified in the case of Mr. Gallatin's coachman, and which comes very little short of a total denial of all privileged exemption, even of Ambassadors, from the operation of the municipal laws of England.

Mr. Brent brought me also a letter from Governor Enoch Lincoln, of Maine, enclosing two depositions relating to the disturbances upon the Northeastern frontier, and purporting also to enclose a proclamation of his own upon the same subject. But the proclamation was not enclosed.

10th. I went out to finish the planting of the row of acorns and nuts round my enclosure with Mr. Foy, but before completing it Mr. Southard came with a budget of papers relating to the business of his Department, to which I gave immediate attention. He took back Mr. Richard S. Coxe's argument in support of a claim of Messrs. Pottinger and Spence to pay, as pursers in the navy, during a time when they were not in actual service.

I told him that my mind was somewhat undecided upon the merits of the claim, and that I should be glad to consult the members of the Administration concerning it.

He had an angry letter from Mr. Burges, one of the members from Rhode Island, urging the appointment of a young man of Newport whom he had recommended as a purser, and bitterly complaining that he had not already been appointed, intimating that no appointment could be obtained for a person from Rhode Island. Mr. Southard said that of thirty-two pursers in the navy there were four from Rhode Island—her share under no equitable rule of proportion could amount to more than one; and she had a similar excess of officers of every rank in the navy, excepting that of captain—obtained only by regular promotion.

I advised Mr. Southard to answer Mr. Burges's letter by a statement of these facts. Mr. Burges is in deep affliction, by

the loss, within these fourteen months, of his three daughters, by consumption, and I fear that his sorrows have affected his temper.

Mr. Southard spoke of other objects upon the detail of business in his office, and also of the very unfavorable result of the recent elections in New York, of which we have this day the first news. He mentioned also the Vice-Presidency, concerning which he had a long conversation with Mr. Clay last evening. He is strongly averse to Mr. Clay's being the candidate on the Administration ticket.

12th. Mr. Clay took back a draft of a letter to Mr. Vaughan, the British Minister, in answer to his, relating to the administration of the effects of Mr. Purves, the late British Consul in Florida. Mr. Clay said he had examined the authorities, and particularly a case decided by Lord Ellenborough, in England, in 1814, in the report of which the whole doctrine of Consular privilege was examined. There was no such usage as that claimed for Inerarity in Mr. Vaughan's letter. Mr. Vaughan himself, with whom he had held a conversation upon the subject, acknowledged that he did not know whether this privilege would be conceded in England, but referred to some case within his personal knowledge, and in which he had understood it to have been allowed in Spain. Mr. Clay said he would send me the book containing the decision of Lord Ellenborough. He spoke also of a draft of an instruction which he had prepared to send to Mr. Poinsett, and of letters that he had written to Governor Lincoln, of Maine, and to P. Sprague, one of the Representatives from that State, upon the disturbances on the Northeastern frontier, which I suspect to be a quarrel purposely stirred up to increase the difficulties of the Administration and excite a popular clamor in the Eastern country against it.

Governor Barbour was also here, and took back the papers relating to the quarrel between Captain Smith and Mr. Manney, in North Carolina. I approved of his proposal to order Smith upon another service, to avoid bloodshed between them; but thought Manney was not sustained in his allegations by the report from General Macomb.

Governor Barbour spoke also of the continued adverse intelligence of the elections in the State of New York, and with great discouragement of the prospects of the Administration. There is a combination against it of all the leaders of the local parties in the State, and the result is proportionably disastrous.

He spoke of the Vice-Presidency, concerning which he asked my opinion. I observed that it was a matter of much delicacy for me to interfere in at all, but that my own inclination was for himself. He mentioned that it had been in the first instance proposed to him by Mr. Clay; that he wished every personal consideration to be put out of the question, and such person to be selected as would give most strength to the cause. He thought that this would not be the effect of the nomination of Mr. Clay.

Mr. Foy was here, and I finished with him the planting of the border round my enclosure with oaks—white, rock, chestnut, post, and willow; shagbarks, pignuts, and black walnut; chestnut, persimmon, tulip-tree, and lime. I indulge the imagination and the hope that this border will outlast many Presidents of the United States; but who can look into futurity for the natural life of a row of oaks? and who can tell how soon they may be uprooted? I asked Governor Barbour for his report and the documents from the Department for the preparation of the message, but they were not ready. I therefore intermitted this evening my progress upon the draft.

13th. Governor Barbour brought me the rough sketch of his report upon the state of the War Department, with numerous accompanying documents. He read me the draft of his own report, and left it with me. He brought also the original proceedings of the general Court-martial upon the Tennessee militia-men at Mobile, in November, 1814. These proceedings had been mislaid, and supposed not to be at the War Department. But they have been recently found by the Adjutant-General. Governor Barbour suggested the question whether notice should be given in the newspapers that they had been found. I thought it should, particularly as upon enquiries heretofore for this document, the answer had been given that

it was not at the Department. Mr. Southard expressed the same opinion.

Mr. Elliot came and proposed to me to view this evening at his house the planet Herschel, through the large telescope of the War Department; to which I agreed. General Bernard and Captain Poussin called, having lately returned from their surveys in Florida. Bernard says that the project of a ship-channel across the isthmus must be given up as impracticable; that a steamboat-canal six feet deep is the utmost that could be effected; that there is not more than nineteen feet of water on the bar at the Bay of St. Joseph; but that a canal at no great expense may be made between the Bay of Mobile and Pensacola.

Mr. Clay brought the minutes I had requested him to make of the subjects under direction of the Department of State which it may be proper to notice in the message. Two or three of them had escaped my attention. He sent me also a dispatch that he has drafted to send to J. R. Poinsett, our Minister to Mexico.

Mr. Southard sent for, and afterwards returned, the papers relating to the cruise of the sloop of war Peacock to the Society and Sandwich Islands, in the South Sea. He also brought me a list of the names of our ships of war, with a reference to the naming of the frigate purchased at New York. By a law of Congress she must be named from a river of the United States.

15th. Mr. Southard brought me the record of proceedings of a general Court-martial sitting at Philadelphia, upon the trial of Lieutenant Joshua R. Sands, of the navy, for an assault upon Commodore Chauncey, his commander, at Brooklyn, Long Island, on the 2d of July last. It was a personal collision and altercation on a conflict of claim to part of the navy-yard between the United States and Joshua Sands, the Lieutenant's father, and a mutual setting up and pulling down of fences. Mr. Southard requested my immediate attention to this case—which I accordingly gave. There were three charges, upon all which the Court found Lieutenant Sands guilty, and sentenced him to be cashiered. A majority of the Court, in consequence

of the peculiar circumstances appearing upon the record of the proceedings, recommend Lieutenant Sands to the mercy of the President of the United States. I read the papers, and subjoined to the sentence of the Court the following decision: "The sentence of the Court is approved, and, in consideration of the peculiar circumstances appearing upon the record, and of the recommendation of the majority of the Court, the penalty is remitted."

Mr. Clay left with me a note from Mr. Rebello, the Chargé d'Affaires from Brazil, with a translation sent by himself, and another made at the Department. Mr. Clay said it would require immediate attention, and that he would call concerning it to-morrow morning. It is, in language, highly offensive, complaining of the partiality of the people of the United States against the Emperor of Brazil in his war with Buenos Ayres, and of republican intolerance.

16th. Mr. Clay called, and took the note from Mr. Rebello, the Brazilian Chargé d'Affaires, and its translations. His opinion was precisely that which I had formed, that the note ought not to be received. It contains rude and offensive charges of partiality against the people of the United States, and criminations of republican intolerance. I advised Mr. Clay to see Mr. Rebello, to point out the objectionable passages in his note, and to give him the opportunity to take it back and alter it, so that it could be received. I desired him to suggest to Mr. Rebello that the people of the United States were the sovereign authority of the country; that reflections upon them, as a people, by a Minister to their Government, were as offensive as personal reflections upon the conduct and character of the monarch would be from a Minister of the United States to a King or Emperor to whom he should be accredited; that all reflections upon the nature of the Government were in like manner inadmissible; that any complaint against officers in the service of the United States, or against any of their citizens, for injury to Brazilians in violation of the laws of nations would be received and duly considered; but that if he declined taking back and altering his note it should be sent back to him, and he should be informed that no answer would be

given to it, and a demand should be made upon his Government to recall him.

Mr. Clay's views perfectly concurred with mine. He spoke also of the disturbances in Maine; said he had written to Mr. Sprague, and, although he did not exactly know what to do further, yet thought something further should be done.

I thought the same, and advised that he should address a note to Mr. Vaughan enclosing copies of the two depositions enclosed in Governor Enoch Lincoln's letter, and ask explanations; and that some young, discreet lawyer should be sent into New Brunswick to see Baker, the man who has been taken up and imprisoned there for stopping the British mail from passing over the land on which he was settled, within the disputed territory.

Mr. Clay mentioned Mr. Barrell, of this place, and I approved of the selection. Mr. Clay showed me also a letter from a friend of his in Virginia complaining of the Postmaster-General's political movements.

I spoke to Mr. Rush of the further reports from the Treasury Department necessary for the preparation of the message—from the Commissioner of the General Land Office, and from the Fifth Auditor; also the statement of estimates for the year 1828; and a statement of all the Acts of Congress passed at their last session, referred for execution to the Treasury Department, and of what has been done under them. All which he promised to have made out as soon as possible.

He read me a letter that he had received from Andrew Stewart, a Representative in Congress from Pennsylvania, urging that internal improvement and domestic manufactures should again be earnestly recommended in the message. But Rush himself concurred in opinion with me that it would not be advisable, and perhaps not proper. My opinions upon the general subject were given explicitly in my first message. Measures of detail should be matured in Congress, and it is time for the President to act upon them when they are brought to him in the form of bills for his signature.

17th. Mr. Rush showed me the answer he had written to the

letter from Andrew Stewart, upon which I made some observations, and we had further conversation upon the aspect of affairs as they are affected by the result of the recent elections in the State of New York. Party organization, and the union of the two men who control the movements of the State parties, have triumphed throughout the State, almost without resistance. The consequence is decisive upon the next Presidential election. But the principles upon which we have acted cannot be overthrown.

18th. In the vacant time of the day I read a couple of the Lettres Provinciales, and a few sections of Murphy's Tacitus. This writer is utterly untranslatable. Murphy's English is more smooth, but his version is not so near to the original as Gordon's. It is impossible to convey the meaning of Tacitus without circumlocution and paraphrase, and that must necessarily lose his sententious brevity. I looked particularly for Murphy's translation of a passage in the History, ii. 53, which had struck me much a few days since in the original. Tacitus says that Licinius Cæcina, a new man, lately admitted into the Senate, attacked Eprius Marcellus, "ut magnis inimicitiis claresceret"—which Murphy translates by saying that Cæcina "thought to rise by encountering powerful enmities." Gordon has it, "that he might thus, by declaring enmity against men of great name, signalize his own." This is much nearer to the thought of Tacitus; but neither of the translations marks the vivid force of the verb *claresceret*, or the full meaning of the words "magnis inimicitiis." "That he might brighten by great enmities" would be literal, but affected.

19th. Mr. Clay read to me the draft of instructions which he had prepared for Mr. Barrell, whom he proposed to send down into the State of Maine and to the Province of New Brunswick; also of a note to Mr. Vaughan, the British Minister, enclosing copies of the two depositions forwarded by Governor Lincoln, of Maine. He agreed also to request of Mr. Vaughan a letter of introduction for Mr. Barrell to Sir Howard Douglas, the Governor of New Brunswick. Mr. Clay said he had seen Mr. Rebello, the Brazilian Chargé d'Affaires, and told him that the note which he had recently sent could not be received; that

Mr. Rebello had stated that his expressions being altogether of a general nature, he did not think that exception could justly be taken to them. But, Mr. Clay told him, this could not be suffered, even as a subject of discussion; that with regard to complaints against individuals, whether officers in the public service or not, they would receive all due consideration, and the terms in which such complaints might be couched would be left to the sense of delicacy of the foreign officer making them; but no paper from a Diplomatic Agent of a foreign state could be received reflecting upon the body of the people or the nature of our Government. They must be treated by all foreign Ministers with at least as much respect as is expected from the Ministers of the United States to the monarch and the monarchy at the Royal or Imperial Courts to which they may be accredited.

Mr. Rebello finally took back his note, but the substitute for it has not yet been received.

There were dispatches from Mr. Shaler, Consul-General to Algiers, still in ill health at Port Mahon; from Mr. Mullowny, Consul at Tangier; and from Mr. Brown, our Minister at Paris, with a private letter also from him to Mr. Clay. Mr. Brown gives in this letter his idea of the political morality of the transaction disclosed in the late publications of James Buchanan and Philip S. Markley, in the conduct of all concerned, and particularly of General Jackson. His dispatch shows that there is too much prospect that the French Government will give us notice and terminate the Convention of 1822.

22d. Mr. Clay had sent me the draft of a commercial treaty with the Hanseatic cities of Lubeck, Bremen, and Hamburg, and spoke of an article introduced into it, copied from one in their recent treaty with Great Britain, and referring to an enumeration of the States of Germany in one of the Vienna Congress treaties. He thought it would be better to refer generally to the German States, without notice of the Vienna Treaty. I was of the same opinion. Mr. Barrell went off yesterday morning upon his mission to Maine and New Brunswick. Mr. Clay sent me also an answer from Mr. Vaughan to his note on the disturbances upon the Northeastern frontier, with several

documents relating to the seizure and imprisonment of Baker. This will prove one of the most dangerous of our breakers.

Governor Barbour brought me the annual report of General Macomb, the Chief Engineer, and afterwards sent me the proceedings of an army Court-martial upon the trials of Lieutenants Hunter and Cowan. I had some conversation with him upon the proceedings on the trial of Assistant Surgeon Bryant.

Mr. Varnum, a member of Congress from Massachusetts, called to pay a visit.

Mr. Southard introduced Mr. Nicklin, of Philadelphia, and gave me his annual report as definitively drawn up. Mr. Bailey, of Massachusetts, passed two hours of the evening with me.

I continue reading morn and eve a few letters of Voltaire's General Correspondence, which are amusing, but absorb more time than I can spare. The letters of mixed verse and prose are compositions of peculiar character; I recollect none such in any other language than the French. They are lively and pleasing. The versification is regular, but perfectly easy. The only difference between the measured lines and the prose is, that the verse has always something of an epigrammatic turn, ending in a point or antithesis. Of these mixed letters, there are several to the Abbé de Chaulieu, to the Prince de Vendôme, to La Foye, to Fontenelle upon a solar phenomenon, which are very entertaining. Of those in prose, a bitter one in the name of Thiriot to the Abbé Nadal, and one to the Baron de Breteuil, giving an account of his going through the smallpox, are among the most interesting. His love-letters to Mademoiselle du Noyer are ardent, and show a spirit of intrigue deep enough for a youth of twenty; but many of his subsequent letters to ladies are grossly indelicate, though adapted, I suppose, to the state of morals at the Court of the Regent, Duke of Orleans. He is constantly complaining of sickness, yet living most of his time in solitude, and writing prose and verse without intermission.

23d. Mr. Brent called for the papers relating to the North-eastern Boundary quarrel, which, with others, I sent back to the Department of State. Mr. Clay, who has been unwell, is convalescent. He took with him the draft of a treaty with the

Hanseatic republics of Lubeck, Bremen, and Hamburg, upon several articles of which we had free conversation.

Major Nourse brought me the proceedings of a Court of Enquiry upon charges brought by Assistant Surgeon Bryant against Assistant Surgeon Beaumont.

Mr. Rush had some additional papers from the Treasury, wanted for the preparation of the message. He was earnest for the reduction of the estimates of the several Departments for the service of the year 1828 to the lowest sum absolutely needed.

I expressed some doubt whether it might not be advisable to present them with some margin for the economists in Congress to plume themselves upon paring down. The Committees of Ways and Means and of Finance are often influenced by this spirit. They think they must retrench something from the estimates presented to them; and if some superfluity be not given them to lop off, they will cut into the very flesh of the public necessities.

Mr. Rush said that, by letters received yesterday from the Collectors of Boston and Philadelphia, he should be obliged to reduce by three hundred thousand dollars his estimate of the receipts into the Treasury during the present quarter. For this we found it difficult to account; though I observed that by a statement in a Boston newspaper, which I showed him, there appeared to have been in the third quarter of the present year an extraordinary excess of exportations, and consequently of drawbacks, over those of the corresponding quarter of the year 1826.

24th. Mr. Barton, the Senator from Missouri, paid me a morning visit. He said little upon political subjects, but, like every other person friendly to the Administration, expects a session of Congress unexampled in factious violence and fury. My own mind is made up for it, and I have only to ask that as my day is so may my strength be.

> "Celui qui met un frein à la fureur des flots
> Sait aussi des méchans arrêter les complots."

Mr. Rush brought me the general table of estimates for the

year 1828, the report from the Commissioners of the Land Office, and a corrected estimate of the receipts of the Treasury for the present year. He afterwards sent me the papers relating to the claim of Mr. Carroll, who called again to enquire if I had decided upon it, but before I had received the papers.

Mr. Carroll, who is a member of the Senate of New York, now in session, said he proposed to leave the city on Monday or Tuesday, and that if I should not before then come to a decision upon his claim he should leave it in the hands of his brother.

Colonel Roberdeau called to give me the time from his meridian observation this day with Mr. William Elliot. He spoke also of a memoir that he has been preparing upon the organization of the militia, an object that he has greatly at heart. Colonel Jones came with a memorial to me from J. B. Crane, major by brevet of the Fourth Regiment of Artillery, claiming another brevet promotion upon the precedents of brevets to several officers of the Marine Corps for ten years' service. Colonel Jones had much to say on the subject of brevets, and left with me a minute recommending the establishment of a rule that the authority to confer brevet rank on officers of the army who shall have served ten years in any one grade, under the Act of July 6, 1812, should be restricted to the commissioned officers who served as such during the late war with Great Britain. He thought this had been the intention of Congress in passing the Act. He also left with me a printed copy of the order of General Brown of 12th October, 1827, for changing the stations of the artillery regiments—which is announced as the commencement of a system of biennial exchanges between the sickly and the healthy posts. Mr. Baldwin, the engineer, was here, going on to Norfolk. He gave me some account of the progress of the works for the dry-docks at Charlestown. Mr. Southard called to take back his report for a final revision, but left it with me till Monday.

26th. Governor Barbour spoke of a recent publication in Ohio of a letter of Thomas M. Randolph upon the opinions of Mr. Jefferson relating to the late Presidential election, and proposed to me the publication of his letter to my father on that

subject; which I declined. I said I had not the letter here, but that if I had I would not publish it, possessing it only as my father's executor, and it having been confidential; that the executors of Mr. Jefferson's will undoubtedly possess a copy of the letter, and, as the depositaries of his confidence, are the only persons who can with propriety authorize its publication.

He said he had written about it to T. J. Randolph, but had received no answer.

Mr. Rush read to me his annual report upon the finances, which he has already prepared. It is very long, very well written, and enters largely into the discussion of the policy of encouraging and protecting our domestic manufactures. It will, of course, be roughly handled in and out of Congress. But the policy that it recommends will outlive the blast of faction and abide the test of time.

Mr. Bailey called while Mr. Rush was here, to enquire if a surveyor had been appointed at North Kingston, Rhode Island. He had recommended a Mr. Hall, but the appointment had been suspended at the request of D. J. Pearce.

Mr. Clay also called, and took back a draft of a letter he had written to Governor Enoch Lincoln, of Maine. I advised him to modify it, so as to avoid all the expressions which might be personally offensive. Lincoln's own letters are absurd and provoking; and he is deeply infected with a disease which many of the Governors of the States are apt to catch—wanton assailing of the General Government, overweening zeal for the interests of the State, stimulated by the ambition to brighten by the magnitude of their enmities.

Mr. Clay spoke also of a note from Mr. Vaughan complaining of a law of the State of New York giving to the local magistracy authority in cases of administration upon the effects of deceased foreign mariners, and seeming to intrench upon the Consular jurisdiction.

27th. Mr. Crocket is a new member of Congress from North Carolina, who was introduced to me by Mr. Williams. They travelled through Richmond, where they were informed that Andrew Stevenson was to be the opposition candidate for Speaker at the approaching Congress.

Governor Barbour brought a letter from John Forsyth, the new Governor of Georgia, complaining of a robbery and a murder committed by Indians in that State, and a letter from T. L. McKenney, of the 17th inst., from Milledgeville, stating that he had concluded a treaty with the Creek Indians for the cession of all the remnant of their lands within the State of Georgia.

Mr. Wirt, the Attorney-General, called, just arrived from Baltimore. I requested him, as I had the other members of the Administration, to come at one o'clock to-morrow and hear the draft of the message. I finished it this day. It has been written under such agony of mind, proceeding from causes relating both to public and private affairs, that I am ashamed of it, and almost afraid to read it to my confidential advisers.

28th. At one o'clock there was a meeting of the members of the Administration, and I read to them my draft of the message. Very few observations were made upon it, and no objection was made to any part of it. Some additional paragraphs were spoken of as perhaps expedient; and particularly one relating to the state of affairs with Georgia and the Creek Indians. This I had postponed, waiting for the arrival of Mr. McKenney, who, Governor Barbour said, had reached Baltimore, and was to be here to-morrow.

Mr. Clay remarked upon the view taken of the established system concerning the public lands, which he thought correct, though there were parts of the country where it would not be approved. But, as I had recommended the revival of the law of May, 1826, for the relief of purchasers on credit, he thought it might be advisable to add another recommendation, remitting forfeitures actually incurred, at least under certain guards and restrictions. There was also a paragraph upon the Madawaska War, of the expediency of which he expressed some doubt.

Mr. Rush noticed the detailed exposition of internal improvements, which I was myself inclined to abridge. I had presented a summary of the recommendations in the report of the Secretary of War, but of those in the report of the Secretary of the Navy had noticed only that of the Naval Academy.

Mr. Southard remarked the difference, with some sensibility. They took the draft of the message, to examine it to-morrow at a meeting among themselves.

Governor Barbour brought me a note from Colonel R. Jones, the Adjutant-General, upon the trial of Assistant Surgeon Thomas S. Bryant. The proceedings in that case appear to be irregular. The Court at first consisted of five members, who decided against their own jurisdiction upon the charges. General Scott sent them back to the Court, and added two members, who changed the majority and reversed the prior decision. No precedent has been found to warrant this measure on the part of General Scott. The authorities appear to be against it.

29th. Mr. Taylor, Speaker of the House of Representatives at the last Congress, called this morning, having arrived yesterday. The opposition have been encouraged by the complexion of the elections to the House to begin the war in Congress against the Administration by electing a Speaker of their own party, and in several of their newspapers, in various quarters of the Union, they have urged their men to make a point of being here some days before the commencement of the session; which they are accordingly doing. The result is extremely doubtful, and depends upon the votes of members from his own State, some of whom are among the most inveterate against him.

30th. The members of the Administration were here from one till three o'clock, having examined the message yesterday among themselves. I had requested them particularly to mark passages for retrenchment, wishing to shorten the paper, which is too long. They did accordingly propose several omissions, all judicious, and some verbal alterations, all which I approved. I determined also to strike out one or two passages upon which there was a difference of opinion among them as to the retaining or excluding them, and I added one short paragraph at the suggestion of Mr. Clay.

The paragraph upon the report of the Postmaster-General was much objected to. This officer, who came into that place in 1823, has given great satisfaction in the administration of it.

For three or four years before, it had been a burden upon the Treasury, requiring annual appropriations of nearly a hundred thousand dollars a year. Its condition since then has been constantly improving, and this year the receipts exceed the expenditure more than a hundred thousand dollars. The accommodations to the public, and the facilities in the transportation of the mail, have at the same time been multiplying in like proportion. Mr. McLean's report is not backward in setting forth all these improvements, and my paragraph, in re-stating the facts upon which he celebrates his own efficiency, did him ample justice. But as respects the Administration Mr. McLean's conduct is worse than equivocal. He hates Mr. Clay, and is devoted to Calhoun, to whom he justly gives credit for his appointment, first as Commissioner of the Land Office, and afterwards as Postmaster-General. Before the last Presidential election Mr. McLean was professedly favorable to me, but under Calhoun's influence, and secretly inclined in favor of Jackson. His conduct since the election has been at variance with his professions. To me he has protested the most friendly disposition to the Administration and to myself, but he has placed in the Post Office persons of infamous character, tools of Calhoun. His appointments of postmasters and his management of contracts are said to be insidiously partial to the opposition, and his conversation is marked with a spirit of hostility exceedingly offensive to the friends of the Administration. He is accordingly courted by the opposition, and keeps on the best terms with them. This was the main reason which induced Governor Barbour to object to my paragraph upon the Post Office, which he thought too complimentary to Mr. McLean, and, he thought, importing some censure upon his predecessor. I abridged a little the paragraph on the Post Office, and made every other alteration proposed by them.

Governor Barbour brought two additional paragraphs to his report: one, relating to the Ordnance Department and the lead-mines; the other, to Colonel McKenney's Indian negotiations. There was some conversation upon the question of boundary between the State of Georgia and the Territory of Florida, upon which I had received a letter, documents, and a map

from Governor Forsyth. Governor Barbour said the claim of Georgia was preposterous; but thought that if I should notice it to Congress at all, it should be in a separate message.

Mr. Martindale, of New York, was here an hour this evening. He was extremely desirous that I should introduce into the message an earnest recommendation of protection to domestic manufactures. He said that my sentiments upon the subject were misrepresented in the western part of New York; that it was pretended I had never expressed any sentiment favorable to the manufacturing interest.

I told him that the friends of the Administration in the South were equally urgent that nothing should be said upon the subject, and, on full deliberation, I had concluded that would be the safest course—particularly as to take side prematurely would appear to interfere improperly for the purpose of exercising an influence over the House. I added, however, that the report of the Secretary of the Treasury upon the finances would with my entire approbation recommend the protection of the manufacturing interest in the most effective manner.

Day. My intention is to rise at five o'clock; but I have not been able to accomplish it. My average time of rising is half-past five, and the range is from four to near seven. I write till after sunrise; then walk an hour; breakfast; and from ten till five in the afternoon receive visitors, read newspapers, and transact business. Dine between five and six, and pass the evening, from seven till eleven, in my chamber, usually alone, reading and writing. The draft of my message has occupied part of almost every evening, and I have written a few letters. I have also read part of a book of the History of Tacitus, the Provincial Letters, half a volume of the Correspondance Générale of Voltaire, and part of the Memoirs of his life. This reading is so entertaining that it absorbs too much of my time. It is, however, a great drawback upon the interest of the Correspondence, that the letters of the correspondents are not given. There is much flattery and much selfishness in Voltaire's letters, a warm disposition to serve his friends, and yet a frequent disposition to speak slightingly of them. His industry is admirable.

December 1st. The names in the margin, arranged in alphabetical order, are those of members of Congress who called in the course of this day and evening—thirty-seven members of the House, and three Senators. They occupied so large a portion of the time that little was left me for writing, and none for attention to other business. Of these visitors, about one-third are moderate opposition men, whose votes will always be against the Administration, but who are yet willing to be on terms of social intercourse with me. At the first session of the last Congress there was only one Senator, and not more than three members of the House, who declined coming to the house. Every one, without exception, was invited. The besotted violence of John Randolph at that session excluded him thenceforward from all right to personal civility from me. Half a dozen other frequenters of gin lane and beer alley, after-dinner speech-makers in the House, put themselves into the same position, and two or three slanderers drunk with faction, though not with alcohol, must be added to the gang. Besides those whom I have disdained to notice, there were at both of the sessions of the last Congress a number of members of both Houses bitter as wormwood in their opposition, indulging themselves in the warmth of debate in personal reflections as ungenerous as they were unjust, who yet came to the drawing-rooms and, when invited, to the dinners; always ready to introduce their friends to the President, to partake of his hospitality, and to recommend candidates for every vacant appointment. The highest class of opposition consisted of men whose personal deportment was always courteous and respectful, who abstained from all insulting personalities, both in their public speeches and their private conversations, but applied all their faculties to opposition of measures. Of these there are very few. Mr. Drayton, of South Carolina, who called this day, was one of them. They are more formidable enemies than the foul-mouthed scavengers of the party. But some of them under the courtesies of life conceal a rancor of heart as corrosive as the rabid foam of Randolph. The conversation of this day turned upon indifferent subjects, excepting with Mr. Newton, who was in good spirits, and has high expectations of the

support of Virginia. Mr. Bell is equally confident of New Hampshire.

3d. About two o'clock, Mr. Macon and General S. Smith, of the Senate, and General Van Rensselaer and Mr. Everett, of the House, came as a committee, and Mr. Macon, speaking for them, informed me that they were charged to inform me that a quorum of both Houses had been formed, and that they were ready to receive any communication which I should be pleased to make to them. I desired them to thank the respective Houses for this notification, and inform them that I proposed to make a communication to them in writing to-morrow at twelve o'clock. After the joint committee had left me, Everett came back and informed me of the issue of the election in the House. There were two hundred and seven members present, and only six absent. Two hundred and five votes given, of which Andrew Stevenson, of Virginia, had one hundred and four, and was chosen; John W. Taylor, of New York, ninety-four; Philip Barbour, four; and three scattering. This settles the complexion of the House. In the Senate, the Vice-President, John C. Calhoun, took the chair. Only two members of that body were absent—Daniel Webster and Jesse B. Thomas. There is a decided majority of both Houses of Congress in opposition to the Administration—a state of things which has never before occurred under the Government of the United States. Messrs. Chambers and Harrison, members of the Senate, called after the House had adjourned.

4th. My third annual message to Congress was sent this day at twelve o'clock. It was first printed, as the two former had been, by Peter Force, publisher of the National Journal, and printed copies of it were furnished yesterday to the editors of the Telegraph and of the National Intelligencer. I had visits in the course of the day from four Senators and twenty-two members of the House, besides Mr. White, the delegate from Florida, who introduced his brother, a student, who comes from the University of Virginia and is going to Cambridge. There were about ten other visitors, among whom Governor Barbour and Mr. Southard brought two copies of their reports and accompanying documents to be transmitted with the message.

With the members who called I had little conversation but upon the trivial topic of the weather. General Van Rensselaer brought a file of letters recommending John Duer for the appointment of District Attorney for the southern district of New York in the event of the resignation of Mr. Tillotson, the present Attorney, or of his declining a re-appointment. General Van Rensselaer spoke of the failure of Taylor's election as Speaker, and said that he had made himself odious to all parties in New York by his selfishness. The General himself is prejudiced against him. I have seen in the political conduct and character of Taylor no peculiar marks of selfishness, and he certainly has been one of the most popular men in the State of New York—a State, however, the most fickle in the dispensation of its popular suffrages of any one in the Union. But Taylor's manners are not attractive, and are sometimes repulsive. The members from the South will never forgive the part that he took in the Missouri question, and they have recently assailed his private life with charges of dissolute conduct here, which have deeply affected his reputation. It is a remarkable circumstance that these charges proceed from men of the most abandoned immorality themselves—men who, having neither reputation to lose nor principle to restrain them, are invulnerable to the poisoned shafts which they hurl against others. On a slender foundation of truth they raised a fabric of falsehood against Taylor, and widely circulated reports affecting his personal courage, as well as his chastity. The difficulty of his situation was, that the falsehood could not be refuted without bringing the truth to more conspicuous light, and there was of truth enough to sully his fair fame. I deeply lament it; for Taylor has been one of the few men in whom I have hoped to find a friend of whom I could be proud, as well as a virtuous politician. Stewart was quite desponding upon the election of Speaker, the manufacturing interest, and the politics of Pennsylvania. Colonel Johnson, of Kentucky, who introduced to me Mr. Lumpkin, one of the new members from Georgia, told me that he was in opposition to the party there which had been so abusive upon me. He also introduced General Duncan, the new member from Illinois. Stevenson,

the Speaker, told me that while the message was being read in the House this day, Espy Van Horne, one of the members from Pennsylvania, was seized with a convulsion fit; that he *shouted* (screamed) several times, and fainted and fell.

5th. Mr. Taylor called in the evening, and gave me some particulars of the election for Speaker. His failure was again owing to the defection among the members from his own State of New York: of their thirty-two votes, besides his own, he obtained not more than twelve. Oakley was absent. He lost eight or ten votes upon which he had counted, some of which were given by persons who had voluntarily told him within three days that they would vote for him. Stevenson solicited the votes of the friends of the Administration, and obtained several votes of tariff men by promising to appoint a committee in favor of that measure, though himself deadly hostile to it. Taylor thinks there is no question that may arise on which the Administration can expect a stronger vote than that for him as Speaker. He said he was willing to do anything in his power for its support, but he thought it would be best to leave to the opposition to move the usual distribution of the message into parcels for reference to committees. These are appointed by the Speaker, and Stevenson would appoint them in such manner as to indulge his own rancor and that of his party and yet affect an appearance of impartiality. Stevenson is one of those men whom troublous times always push into consequence and distinction—men of talents, of characters black with private infamy, detected, exposed, and yet maintaining their popularity and rising to power on the ruins of honor and virtue. Giles, the present Governor of Virginia, and Ingham, of Pennsylvania, are of the same class of politicians. I told Taylor that I thought it quite immaterial by whom the distribution of the message should be moved: the disposal of the business would depend upon the composition of the committees, and Stevenson's impartiality in the appointment of these would be like that of Vice-President Calhoun at the first session of the last Congress. Taylor supposed that the part of the message relating to the Colonial Trade question might be referred to a committee of commerce, who might

make a report of censure upon the Administration relating to it. This is quite probable; but, I said, they would make no report which the minority of the committee could not easily refute by a counter-report. Taylor spoke also of the state of affairs in New York: of De Witt Clinton's coalition with Van Buren, which, he is satisfied, was arranged more than a year ago; of Sanford's pertinacious refusal to take any part in sustaining the General Administration; and of the inactivity and timidity of our friends there. He says Sanford intends to be the candidate for Governor at their next election, and has spent the summer in travelling about the State to make friends. His neutrality was to avoid giving offence to either party. Taylor mentioned also a conversation he had with Tallmadge upon the subject of appointments in the State of New York. He says Tallmadge has for the present abandoned the pursuit of politics, and returned to his practice at the bar. Mr. Taliaferro this morning spoke with surprise of a decision in the Senate yesterday confirming the appointment of Duff Green as printer to that body. This man is editor of the Telegraph newspaper, a scurrilous and abusive print set up by and for the opposition. The vote in Senate was twenty-five to nineteen, and Barton and Sanford were among the votes in Green's favor. Wickliffe, of Kentucky, who introduced Daniel, said I had carved out in the message much work for Congress to do. I said I had stated to them the present condition of public affairs; it was for them to determine what work they would do. He spoke of the claims of the Revolutionary officers, and said he thought Congress should do something for them, if they knew what it was. I thought it a very simple enquiry and a very urgent duty.

6th. The visitors of this day were five Senators, twenty members of the House of Representatives, and two others. Mr. McKenney came and gave me a long account of his negotiations with the Indians, particularly with the Creeks for the small remnant of their land within the State of Georgia not included in the last treaty made with them in January, 1826. Mr. McKenney is very voluble, and magnified his office. He told me all the arguments that he used with the Little Prince, and Opothle Yoholo, and the Bigfellow, and how he put down

Ridge and Vann. The result of it all was a treaty for the remnant of the Creek lands in Georgia, of which, however, the confirmation of the Indians in council is yet to be received. I spoke to him of the remonstrance by the Brotherton and Stockbridge Indians against the treaty made by him and Governor Cass last summer with the Winnebago and Menomonee Indians. He made very light of it, but gave me no satisfactory answer to the claim of the Indians from New York, who allege that the lands ceded by the treaty had already been ceded several years since, with the approbation of this Government, to them. I received afterwards a letter from several persons at New York further and earnestly remonstrating against the treaty. Mr. McKenney spoke to me in terms of high commendation of T. S. Bryant, the Assistant Surgeon whose trial by a Court-martial is before me. McKenney saw him at Green Bay, and bears testimony in his favor. General Harrison brought me a letter to him from Thomas D. Arnold, with recommendations of him enclosed, for the office of United States District Attorney in East Tennessee, in the place of Pryor Lea, who has been elected a member of the House of Representatives in Congress. Harrison said he delivered these letters to me as he received them. Arnold was a competitor for Lea's seat in Congress himself, and published a pamphlet against General Jackson, which, Harrison said, proved he was at least a bold man. I told him I had received letters from Mr. Arnold himself applying for the appointment. I mentioned to Mr. Cobb, the Senator, and four members of the House from Georgia, who came together, that I had received from the Governor, Forsyth, a letter with a memorial of Mr. McBride, who, Cobb said, was now Surveyor-General of the State, and a manuscript map, showing the principle upon which Georgia claims the south branch of St. Mary's River for her boundary upon the Territory of Florida. I observed that the Governor wrote me that he had not had time to send a duplicate of these papers to the delegation of the State here, and that they might perhaps apply to me for communication of those he sent to me. I said I should very readily communicate them if the delegation desired, and should be glad to do anything further in my power

towards the settlement of the question. Cobb said they did not know exactly what to do next, and asked me a number of questions, artful enough, to draw from me some opinion upon the merits of this new claim of Georgia; but I avoided giving any opinion, and said I considered it not within the competency of the Executive authority. He said the delegation would consult together, and perhaps might request a communication of the documents I had received from Governor Forsyth; and then I might by message bring the subject before Congress. Mr. Meredith, a lawyer, of Baltimore, came with Messrs. Barney, Dorsey, Gale, and another gentleman, and renewed an application heretofore made to me, to direct a discontinuance of a prosecution in the Circuit Court of the United States against a man named John Gooding for a violation of the laws against slave-trading. This Gooding is what they call a respectable man—that is to say, he has been rich, had a character, and was a warm patriot in the late war with Great Britain. He has a large and helpless family, and, when going to wreck and ruin, speculated in the slave-trade to save himself, was detected, and is under prosecution. The sympathies of many worthy persons in Baltimore have thus been enlisted in his favor, and they petitioned me to arrest the prosecution against him. Mr. Meredith and these members of Congress now came for the same purpose, and Colonel Little afterwards came alone, with a letter from General Leakin urgent in behalf of Gooding. But I have also received remonstrances against any interposition in his behalf, and I intimated to these gentlemen the great objections there would be to any Executive interference to rescue the accused from trial.

7th. Mr. Southard came and took the proceedings of the Court-martial in the case of Master-Commandant William Carter. I told him that I had subjoined to the record a simple approval of the sentence; that I had been extremely reluctant to approve that part of it which declares him disqualified from ever serving in the navy; but the testimony was positive that in one of his drunken fits, in a heavy gale of wind, he gave orders which brought the ship into the most imminent danger of foundering; that on another, by a press of sail in the night,

he exposed her against warning to run upon the Ramirez Rocks; that he once treated rudely a British officer sent on board of his ship to explain a misunderstanding on the subject of a salute; and once exposed himself by his deportment at a public house on shore, in presence of many persons, among whom was another British officer; and that he once ordered a lieutenant in command to leave the deck, and gave the ship in charge of an acting boatswain. Such enormous evils from intemperance demanded a signal example, and I said I had thought of annexing to the decision a special reference to these incidents as reasons for confirming the disqualifying part of the sentence, but had finally concluded merely to confirm the sentence without comment.

Mr. Southard said, if I thought proper, he would prepare a letter to be communicated with the sentence, and making the references I had proposed; to which I assented. He said he had a private letter from the Judge-Advocate, R. S. Coxe, mentioning that the log-book, upon which there had been much reliance in the defence, bore evident marks of erasures and interpolations.

In this case, as in that of Colonel Chambers, and indeed in every trial for drunkenness upon which I have been called to act, the mass of *negative* testimony, even from witnesses of the most respectable character—that is, of witnesses who say that the accused was not drunk at times when the positive witnesses swear that he was so—is surprising. Others swear of a confirmed and notorious sot that they have known him for years and never saw him drunk in their lives. This is so invariable a resource of defence in every trial for drunkenness that it may be classed with the alibi of the Old Bailey. Negative testimony in such cases proves absolutely nothing.

I received this day the visit of the Vice-President, five Senators, eighteen members of the House of Representatives, and two other persons. Colonel Dwight called in the evening, and we conversed upon the present condition of political affairs. It is understood that the appointment of the committees in the House by the new Speaker is to be settled by the leaders of the party, and that Ingham, Hamilton, and McDuffie have been

busy in obtaining a postponement of the time for announcing the committees till next Monday, for which purpose the House was yesterday adjourned till that day. The appointment of committees has heretofore usually, if not invariably, been made on the third day of the session, and this postponement of it to the eighth is only indicative that it is now to be made a party measure, and that the Speaker is to be a mere instrument in the hands of a caucus.

Colonel Dwight spoke also of the expediency of an early understanding among the friends of the Administration with regard to a candidate for the Vice-Presidency at the next election. He named Mr. Pleasants and Governor Barbour, of Virginia, Mr. Macon, of North Carolina, and Mr. Crawford, of Georgia, as persons to be thought of. I told him I hoped no friend of mine would make any advance or overture to Mr. Macon or Mr. Crawford or any of their friends, and said I should readily acquiesce in any nomination of Vice-President upon whom they could agree.

8th. I received visits from three Senators and eight members of the House of Representatives. And with this day ceases the stream of visitors, members of Congress, at the commencement of the session. About three-fourths of each House have been here; a few more will yet come; and there are about six Senators and forty members of the House whose rancorous spirits have withdrawn from all intercourse of civility with me. Mr. Barton, the Senator from Missouri, introduced Mr. Bates, the member of the House from the same State. Mr. Bartley came to speak of that never-ending subject, the removal of a Land Office to Tiffin. I told him that I had suspended the final decision of the case in consequence of new and earnest remonstrances from the officers and others repeating the complaint of the extreme unhealthiness of Tiffin and representing that it had been very sickly there even this last summer. I said I had suspended the final order for the removal in the hope that the delegation from the State, on the meeting of Congress, would come to some agreement about it and give their advice.

He said he would consult them, but that they all resided in

different parts of the State, and, except perhaps Mr. Sloane, whose residence was the nearest, they knew no more upon the subject than any other stranger.

Strong spoke to me of the appointment of a District Attorney in the southern district of New York in the place of Mr. Tillotson, whose term of service will shortly expire, and who, it is expected, will decline a re-appointment. Strong mentioned three or four persons who would be candidates, and made observations upon one or two of them, without expressing his own preference in favor of either.

Mr. Archer complained of being exceedingly out of health with an extraordinary disease—a thrilling pain which began in the heel and has since been shifting to different parts of the body. Drs. Chapman and Physick have been able to afford him only partial relief. Garnsey, who came with Markell, is also much indisposed. Letcher speaks very despondingly of the political state of Kentucky, and the desertion by the people of that State of Mr. Clay, which he attributes to Mr. Clay's having sustained the Constitution against the judge-breakers.

Mr. Tyler,[1] the new Senator from Virginia, introduced himself and Mr. Oliver.

Mr. Southard brought a draft of a letter that he had prepared to Master-Commandant Carter, assigning to him the reasons for the confirmation of that part of his sentence which declares him disqualified from ever serving in the navy. He remarked, and I thought, that it seemed rather harsh to address this paper to himself. I suggested some modification of it, and that it should be addressed not to Carter himself, but to the Judge-Advocate, to be communicated to the Court. He took it back for that purpose. Mr. Southard spoke on the subject of the Vice-Presidency, and inclined in favor of Mr. Pleasants; but thought it would be best to leave the nomination to the Virginia Convention, which will meet in January.

9th. Heard this morning Mr. Motte, from Acts xxviii. 22: "But we desire to hear of thee what thou thinkest: for as concerning this sect, we know that everywhere it is spoken against."

[1] John Tyler, elected Senator against John Randolph, afterwards Vice-President, acceded to the Presidency on the death of W. H. Harrison.

It was a vindication of the Unitarian doctrines, to which he is himself a convert, having commenced his profession as an Episcopalian preacher. He spoke of the great earnestness with which he had searched the Scriptures from Genesis to the Apocalypse without finding a single word which, to his judgment, would warrant the doctrine of the Trinity, and of the obligation which he had felt of doing homage to the truth, however it might be spoken against; and he adduced many powerful considerations of encouragement to perseverance and steadfastness against the current of popular opinion, at whatever hazard of obloquy and persecution.

He gave out for singing the Hymns 38 and 173 of the collection made for this church by Mr. Little, both of which are beautiful and consoling. Hope in the goodness of God, reliance upon His mercy in affliction, trust in Him to bring light out of darkness and good out of evil, are the comforts and promises which I desire from attendance on public worship. They help to sustain me in the troubles that are thickening upon me, and although every day adds to the gloom and threatening fury of the storm, and not a ray of light is discernible before me, yet I do gather strength and fortitude, and a vague and indefinite confidence of escaping, or of passing unhurt through the furnace that awaits me, from the constant exhortations to trust in the Lord which abound in the Psalms, as well as in the selections of hymns at the churches where I attend.

In the evening I heard again Mr. Motte, from Luke viii. 18: "Take heed therefore how ye hear: for whosoever hath, to him shall be given; and whosoever hath not, from him shall be taken even that which he seemeth to have." The first clause of the verse was the only part of it upon which he commented, and the sermon was a querulous classification of persons who attend on public worship, as not being good hearers. He said that some, if they did not sleep, were giving their attention to the affairs of the world—perhaps even to bad passions. Others were playing the critic—cavilling in their minds at the composition, or passing sentence upon the delivery of the discourse. Some would give a partial and occasional attention, which

soon drooped; and scarcely any went seriously and soberly to hear and improve themselves by the delivery to them of the whole counsel of God. I took to myself no small part of this censure, but thought there was in it some acrimony.

10th. Mr. Rush told me that he had this day sent in his annual report upon the finances. Mr. Everett was here this evening, and mentioned the appointment of the committees in both Houses—in the Senate by ballot, by majorities of twenty-five to nineteen, and all the committees consisting of four opposition men to one friend of the Administration. In the House the committees are appointed by the Speaker; and Mr. Stevenson has just fulfilled my expectations—four opposition to three Administration men on all the committees—Randolph Chairman, McDuffie second member, of the Committee of Ways and Means; Cambreleng Chairman of the Committee of Commerce; Hoffman, of the Naval Committee. Everett himself is Chairman of the Committee of Foreign Relations, a very good appointment in itself, but meant to spite and mortify Sergeant, who should, according to the usages of the House, have been appointed. Everett told me that Mr. and Mrs. Webster were yet both very ill at New York, and that he could not be expected here for a month.

11th. Messrs. Wilson and Riston are from Baltimore, and came with Colonel Little. Their object was to intercede again for an order to stay the prosecution against John Gooding. Mr. Wilson, who admitted that he acted as his counsel, wished to know the names of the persons who had remonstrated against Executive interference to suspend the operation of the law; which I declined to give. He intimated an apprehension that this remonstrance came from some of the witnesses; that they were false witnesses, and that the leader of the prosecution was Captain Phillips. I told him that the remonstrants were not of the witnesses; that their remonstrance alleged no facts bearing upon the merits of the case, but urged the principle that the Executive should not arrest the arm of the law; and I observed that as to the veracity of the witnesses the Court and jury before whom they would testify would have far better means of scrutinizing that than I could.

Mr. Clay said he expected soon to conclude the Commercial Treaty with Mr. Rumpff, the Minister from the Hanseatic cities. He spoke also of the selection of a candidate for the Vice-Presidency. He appeared himself to prefer Mr. Pleasants, but said Governor Schultz had been written to, and his answer was expected this evening or to-morrow. It was thought he would decline.

Mr. Southard read me the letter he had prepared to the Judge-Advocate of the Court-martial upon Master-Commandant Carter—which I approved. He told me that James Hamilton, a member of the House from South Carolina, after boasting of their victory in the choice of Speaker, told him that they meant to use it liberally, and offered to put upon the Naval Committee any member that he should name to him. Southard declined naming any one. It seems Hamilton disposes of the places on committees as if he were himself the Speaker.

12th. Dr. Todson called on me this morning, returned from the African Colony, where, he says, he had a narrow escape with his life, having taken the fever of the country, and had a relapse while on board ship upon his return. He brings a certificate, signed by several of the colonists, and a letter from Mr. Ashmun to Mr. Hawley, in his favor. He says the Colony will prosper if the Government continues to give it aid, and that its greatest danger is a spirit of mercantile speculation among the colonists.

Mr. Parris, the Senator, and Mr. McIntire, a member of the House from Maine, came together. They spoke of the appointment of a postmaster at Portland. Mr. Parris had some time since recommended a Mr. Mitchell, and now mentioned him again. Mr. Benton, Senator from Missouri, and Mr. Rowan, from Kentucky, came together. These, with five members of the House from Pennsylvania, were only morning visitors.

Mr. White, the delegate from Florida, came in no small alarm at the new pretensions of the State of Georgia to the southernmost branch of the Saint Mary's River for her boundary upon Florida. He says that when the Act of Congress passed to authorize the drawing of the line, there was

an opinion that the head of Saint Mary's River was a more northern branch than that where Ellicott and the Spanish Commissioner drew the line, and that Cobb and Forsyth, and all the Georgians, protested vehemently against any departure from the line of the treaty. And now they talk of the mistakes of the Commissioners who drew the line, and the chartered limits of Georgia. I told Mr. White of the communications I had received from the Governor of Georgia setting forth their pretensions, and the conversations I had had with the members of the delegation. I had told them that this was a question beyond the competency of the Executive, and which must be referred to Congress.

13th. Mr. Clay was here, and I mentioned to him the nominations which are to be sent in to the Senate. They are of three classes: 1, of temporary appointments made during the recess of the Senate; 2, of commissions for terms of years which are to expire during the present session of the Senate, or before the commencement of the next; 3, of appointments to actual vacancies. Those of the first and second classes had been sent to me from the Department of State. I asked Mr. Clay to have those of the third sent to me.

Mr. Clay told me he would show me the draft of a publication which he proposed to make in further refutation of the charges of bargaining and corruption which General Jackson and some of his partisans have trumped up against him and me. They have already been amply refuted. But Voltaire observes in a letter to Thiriot, "Je vois que les calomnies s'accréditent toujours." And the remark is specially applicable in this country to the affairs of politics and politicians. In the excitement of contested elections and of party spirit, judgment becomes the slave of the will. Men of intelligence, talents, and even of integrity upon other occasions, surrender themselves up to their passions, believe everything, with, without, or even against evidence, according as it suits their own wishes.

14th. Mr. Rush was here with papers relating to several appointments and nominations to be made to the Senate. Mr. Rush showed me also a draft of a letter from him to Mr. Clay,

written at the suggestion of Mr. Josiah S. Johnston, and stating that Mr. Philip S. Markley was appointed Naval Officer at the earnest recommendation of him (Mr. Rush), and not at all that of Mr. Clay, whom he had thought rather unfavorable to Mr. Markley's appointment.

I observed to Mr. Rush that I doubted the effect of this letter as testimony, and its accuracy in point of fact. As testimony, it would be unnecessary to any of our friends, and enemies would say, How can Mr. Rush testify to what passed between Mr. Clay and the President, who nominated Mr. Markley? As to the fact, my impression was that Mr. Clay's wishes were entirely and warmly favorable to Markley, certainly from no improper motive; nor did he press him upon me with importunity. He never does any one. But Mr. Markley had always been openly and earnestly the political friend of Mr. Clay. He had separated himself from that gang of Ingham and Kremer's tools, and, while they were persecuting and slandering him, moved in the House of Representatives a very complimentary vote of thanks to him at the close of the session of Congress as Speaker. There was abundant reason to befriend Mr. Markley on the part of Mr. Clay, and I did understand that he always did befriend him.

Mr. Rush said there had been a time when he thought Mr. Clay had rather favored the appointment of Jonathan Roberts. This was true, but it was when we all apprehended that the objections to Mr. Markley would be insuperable. Mr. Rush burnt the draft of his letter, and said he would mention to Mr. Clay that he thought it might be questioned whether, as members of the same Administration, there would be a propriety in his volunteering such testimony.

15th. Mr. Sergeant called, and afterwards came and dined with us. He is going to Harrisburg. Governor Schultz declines being a candidate for the Vice-Presidency. Mr. Clay brought and left with me the draft of his address to the public in refutation of the charges of General Jackson against him, which he said some of his friends, to whom it had been read, thought very important, and that it would produce some effect. It is to be followed by an appendix of letters from all the

Western members of Congress who voted for me, denying all knowledge of any bargain for the appointment of Mr. Clay as Secretary of State in consideration of their voting for me as President; and letters from other persons, one of whom is General La Fayette, stating that Mr. Clay had told them before the time of the movements of Buchanan and Markley of his determination to vote for me in preference to General Jackson. I read his paper this evening.

16th. I heard this morning Mr. Motte from a text in the Psalms, which he gave out in a tone of voice so low that I could not hear it; but the subject of his discourse was prayer. He considered it in points of view peculiar to himself, not touching upon those most obvious to discussion, and enlarging upon those of more doubtful character. His remarks upon the spirit of prayer were sensible: he represented fervor as its most essential property, and spoke with severity of those who neglect this duty by a cold and careless performance of it. The second Alcibiades of Plato is an admirable treatise upon the duty and objects of prayer. And Jesus himself has comprised in the short prayer which he prescribed to his disciples all that man can need to ask of Heaven. When I went into the church I found Mr. Motte baptizing several children, a ceremony which Mr. Little declined always to perform, considering it as a useless and superstitious rite, and the text by which Christians generally believe it to be enjoined (Matthew xxviii. 19, 20) as spurious. I think it one of Mr. Little's great errors.

Mr. J. W. Taylor dined and spent part of the evening with us. He told me of the manner in which eighteen members of his own State of New York voted against him on the election of Speaker. Four of them had, after arriving here, promised to vote for him. Personal friends of long standing, men under strong obligations to him—De Graff, Hallock, Keese, Ward, Belden—all deserted and voted against him, in defiance of their consciences and their promises, under the spell of party management. Some of these worthies are now deeply mortified because they have not been stationed upon important committees. Taylor spoke also much of the selection of a candi-

date for the Vice-Presidency, and inclines in favor of Mr. James Pleasants. The Pennsylvanians object to him on account of a message to the Legislature of Virginia, when he was the Governor of that State, in which he denied the power of Congress to make internal improvements and protect manufactures.

17th. Mr. Pearce, of Rhode Island, came with Mr. O'Brien and Mr. Butman, members of the House from Maine. They spoke of the Northeastern Boundary question, and of Governor Enoch Lincoln's rhodomontades about the State's maintaining her own rights by war and refusing to be bound by the stipulations of the treaty, which I thought a very awkward imitation of Governor Troup, of Georgia. The difference was that Troup knew he could bluster and talk big with safety. He well knew that the only adverse party to him was the Creek Indians, and that he would certainly obtain his end against them, and probably the sooner the more insolent and insulting his language and conduct should be towards the Government of the United States. But the adverse party to Governor Lincoln's pretensions was Great Britain; the treaty that he was for trampling under foot was of unquestioned obligation upon the Union; and if Governor Lincoln should, as he had threatened at his militia reviews, go to war against it, he must, like Don Quixote, sally forth alone; for neither the Union nor the people of his own State would sustain him.

O'Brien said he had heard that Governor Lincoln of Massachusetts disapproved of his brother's impetuosity and wrong-headedness—which I well knew.

Mr. Clay called, and took the draft of his address to the public. I advised him to change entirely the concluding paragraph, which presented the idea of his retiring from public life and being sacrificed as a victim to calumny. He asked if my objection was that it had an appearance of despondency. I said yes; but that was not all. I thought it highly probable that the base and profligate combination against him and me would succeed in their main object of bringing in General Jackson at the next Presidential election, and that one of their principal means of success will be the infamous slander which

he had already more than once branded with falsehood, and upon which he would again stamp the lie by this address and its appendix. The conspiracy would, nevertheless, in all probability succeed. When suspicion has been kindled into popular delusion, truth and reason and justice spoke as to the ears of an adder—the sacrifice must be consummated before they can be heard. General Jackson will therefore be elected. But it is impossible that his Administration should give satisfaction to the people of this Union. He is incompetent both by his ignorance and by the fury of his passions. He will be surrounded and governed by incompetent men, whose ascendency over him will be secured by their servility, and who will bring to the Government of the nation nothing but their talent for intrigue. Discordant in the materials of their composition, rancorously hostile to each other, and all more skilled to pack the cards than to play the game, there will be no principle of cohesion among them; they will crumble to pieces, and the Administration will go to wreck and ruin. Then, too, will come the recoil of public opinion in favor of Mr. Clay, and it will be irresistible. If human nature has not changed its character, Kentucky and the Union will then do justice to him and to his slanderers. In the event of General Jackson's election, *he* would of course retire (he said he should resign, and not give the General the opportunity to remove him); he would return to his home in Kentucky, and there wait the course of events. But I thought it would be better not to allude to it in this publication, and particularly not to countenance the idea of his intending it as a final retirement.

He said this reaction of public opinion he thought very probable, but that it would be so long in coming that it might go beyond his term of active life.

I said it might be very sudden and rapid, and reminded him of the instantaneous effect in favor of De Witt Clinton of the removal of him by the Legislature as a Canal Commissioner. I concluded, however, by remarking that I had only made the suggestion relating to the closing paragraph of his address, and he said it had already occurred to him that it might be liable to such an objection.

18th. General Brown has been very dangerously ill, and looks now far from well. I told him I had wished to see him and converse with him before I made up my decision upon the proceedings of two Courts-martial: one upon Assistant Surgeon Bryant, and the other upon Lieutenant Hunter. On the first, I had disapproved the sentence of the Court, and declared erroneous an order of General Scott sending back to the Court-martial, originally constituted of five members, their decision for revisal, and adding two new members to the Court. On the second, I had approved the sentence of the Court cashiering Lieutenant Hunter, and remitted the penalty at their recommendation; but with censure upon the accused, upon the prosecutor, and upon the Court—all much deserved. The General said he agreed with me in opinion upon the incorrectness of General Scott's order adding two new members to a Court-martial after a decision made by them. He said also that the prosecutor of Lieutenant Hunter had been an excellent officer, but was now a lost man by his habits of intemperance. These, he said, were contracted by the seclusion of small stations at remote and solitary posts, which would effect the ruin of any army. Other visitors called, and the General said he would soon see me again.

Mr. Cresson brought me a letter of introduction from my friend Samuel Breck. He is of the Friends—thees and thous—but has lately travelled two or three years in Europe, and brought me complimentary remembrances from the Duke of Sussex; spoke of his library, and of his wish to be furnished with some of our public Congressional documents—which I said he should be.

19th. Mr. Southard brought me this morning the proceedings of the general naval Court-martial at Philadelphia upon the trial of Midshipman Humphrey A. H. Morris, and he afterwards sent me the record of the proceedings of the same Court on the trial of Lieutenant William Foster. They have sentenced both these officers to be cashiered. He said that his letter to the Judge-Advocate stating the reasons for which I had approved that part of the sentence upon Master-Commandant Carter which declares him disqualified from ever serving

hereafter, had been read to the Court, who were much gratified with it, and regretted that it had not been made a part of my decision.

I returned to Mr. Southard papers that he had sent me yesterday from Commodore Biddle; among which was a private letter from Rio de Janeiro, dated October, referring to one of a previous date, in which he had expressed his expectation that the decisions of the Brazilian Courts on cases of blockade would be more favorable towards vessels and property of the United States than of Great Britain. He now encloses documents to show that they did proceed on that principle till frightened out of it by the British Government. And he encloses an extract from an opinion given by the King's Advocate in a letter to the late Secretary Canning, to whom, as the law officer of the Crown, the case had been referred, and who pronounces, without argument, that this is an injury to Great Britain which ought to be resented.

Cannon law is the law of Great Britain towards other nations. The principles which the Courts of Brazil intended to pursue were just. They were to apply to each nation her own rules of blockade. Those of the United States, being favorable to neutral rights, were entitled to the benefit of them from the Brazilian tribunals. Those of Great Britain leaning only to the belligerent pretensions, she could fairly claim only the same measure which she metes out to others. But these are not their maxims. Belligerent, she tramples upon neutral rights; neutral, she maintains them at the cannon's mouth; and the Brazilian Courts have been awed into submission.

Captain Biddle obtained confidentially from a British officer this extract from the opinion of the King's Advocate, and sends it, enclosed in a private letter, to Mr. Southard, under injunctions that it must not be made public. I asked him for copies of the letter and opinion, to preserve as a memorandum of British Law of Nations.

20th. Mr. White, the delegate from the Territory of Florida, came and looked at the copy made by Colonel Roberdeau of the map sent by Governor Forsyth, of Georgia, of the sources

of the river Saint Mary. White says that at the session of the last Congress, when the Act passed for the appointment of a Commissioner to draw the boundary line, Forsyth spent two hours before the committee in arguing to them that the treaty with Spain of 1795 had settled the line, and that the journal of the Spanish and American Commissioners under that treaty had fixed it so that there could be no departure from it; but that now, in a message to the Legislature, he refers to the chartered limits of Georgia, to the proclamation of George the Third of 1763, and to the commission of Governor Wright. Mr. White observed also that he placed little reliance on the accuracy of this map of Mr. McBride.

Messrs. Clark and Metcalf, members of the House of Representatives from Kentucky, came to recommend a Mr. Ewing for the appointment of U. S. District Attorney in Mississippi. They spoke of the state of politics in Kentucky, where, after three days of balloting, John Speed Smith, an opposition man, was chosen Speaker of the House of Representatives by a majority of one vote. Clark says there is an Administration majority of three in the Senate, and he still has great confidence in the electoral vote of the State. Metcalf is not so sanguine.

Mr. Butler came to enquire the fate of his brother's petition to be released from prison. The District Attorney, Swann, to whom it was referred, had not yet reported. Richard Maury brought me a note from the Secretary of the Navy, asking a name for the frigate purchased at New York. We are obliged by law to call it by the name of a river, and I directed that she should be called the Hudson.

Mr. Barbour, the Secretary of War, brought a letter from John Wilson, in the State of Missouri, giving information that a band of seventy or eighty men had been collecting there to go in the spring, under command of two men whom he names, and commit robbery within the Mexican territory; and perhaps upon the traders between Missouri and Mexico. Mr. Barton, the Senator from Missouri, has received the same information from another person. Governor Barbour proposed to send the letter from Mr. Wilson to the Secretary of State,

and that the purport of it should be communicated to the Mexican Minister, Obregon; which I approved.

It is further to be considered whether a movement of troops shall be directed for the protection of the traders. Mr. Barbour took the two applications for permission to sell lands granted to two Indians named Dick and Burnett—further information is necessary for a decision. He also took the petition of almost all the militia officers in the county of Alexandria that Major Thornton may be appointed the brigadier-general in the place of Walter Jones, who has resigned, in preference to the colonel of the regiment, who is said to be negligent of duty. I agreed to the appointment of Thornton. I sent to the Senate messages Nos. 3 and 4, containing nominations of officers appointed during the recess, and army appointments.

22d. At one o'clock Mr. Clay presented Baron Krudener, who delivered to me his credential letter as Envoy Extraordinary and Minister Plenipotentiary from the Emperor of Russia. In presenting the letter he made, as usual, a short address, declarative of the friendly dispositions of the Emperor Nicholas to the United States, and of his own personal disposition to execute, with entire devotion, his instructions to cultivate the friendship of this Government; which I answered by assuring him of the high gratification with which I received him as the Minister of the Emperor; of the earnestness with which the Government of the United States would continue to cultivate the good will of his sovereign; and of my hope that his own residence in this country would be satisfactory to himself. I added that, having resided several years as the Representative of my country at the Court of the late Emperor Alexander, I had personal motives of attachment to Russia, from the kindness that I had experienced there, and that having been at an earlier period at Berlin, when his father was Minister of Russia at that Court, it was with recollections of peculiar interest that I now welcomed him in the same capacity here.

24th. Mr. Clay mentioned a note received recently from Mr. Rebello, the Brazilian Chargé d'Affaires, concerning a Buenos Ayrean privateer entered at New York with a Brazilian prize.

The note is to be answered, and directions given to the District Attorney at New York to take the steps required by the law in the case.

Mr. Clay has some flattering letters from Kentucky. The Administration candidate for Governor is to be J. J. Crittenden; the opposition candidate, Mr. Barry. Mr. Pope's hopes have been disappointed by both parties.

Mr. Bailey spent an hour with me this evening. He says that some of the friends of the Administration are inclining to the support of W. H. Crawford for Vice-President. I said I hoped they would at least not involve me in any such project, which I was very sure would terminate in disappointment and treachery.

27th. Mr. Tracy brought and left with me a letter to him from T. Fitch, at Batavia, New York, complaining, on behalf of the Seneca Indians, that one of their tribe, named Jemison, lately, without authority, made a contract to exchange their Tonawanda lands for others at Green Bay. The letter says that Red Jacket and others of the chiefs protest against this contract, and are coming on here to remonstrate against its confirmation.

Tracy spoke also of the New York elections, and said it was understood that Governor Clinton would not be a candidate for re-election; that he certainly could not be chosen, for there would be at least thirty thousand votes against him for his Masonry. The excitement on that subject pervades all the western part of the State of New York, and will influence all their elections for some time. He says that Marcy, now Comptroller of the State, will be the Jackson candidate at the next election for Governor; that neither Rochester nor Sanford can succeed against him; that Albert Tracy would probably have been the candidate if he had not failed in carrying his election to the present Congress; but he had hopes of coming to the next.

Mr. Barton, the Senator from Missouri, came with Mr. McKinney, of Tennessee, who is to leave the city to-morrow. I told him I intended to send this day to the Senate his nomination as U. S. District Attorney for East Tennessee, but the

interruptions, which continued all the morning, prevented me from having the message ready till after the Senate had adjourned.

Mr. Wood, of New York, brought me a letter to him from Ogden Edwards, asking his influence to obtain for him the appointment of U. S. District Attorney in that city. Mr. Wood said that he had signed a recommendation of Mr. Duer, at the request of General Van Rensselaer, but should have preferred Mr. Edwards had he known he would be a candidate.

Mr. Southard came for a decision respecting the appointment of a Navy Agent at Lima. He himself inclined in favor of William Radcliff, who has already the office of Consul there. I left the determination to him, but acknowledged my own propensity in favor of Andrew Armstrong, heretofore Commercial Agent at Port au Prince—recalled thence because the tawny Government of Hayti would no longer recognize him, inasmuch as we declined to recognize them. He has also the merit of contributing to the support of a widowed mother, and that of being modest and respectful in his applications for employment. Mr. Southard also requested me to nominate James G. Brooks as a purser in the navy. The list of nominations from the Navy Department is not yet ready.

Mr. Bell, the Senator from New Hampshire, called, and told me that from indications in the Committee of Foreign Relations, of which he is a member, he concluded there would be opposition to the Conventions with Great Britain concerning the Northeastern and Northwestern boundary, and to the article in the treaty with Sweden making free ships free goods. Mr. Tazewell is the objector upon the Conventions with England. Mr. Bell says he is the most rancorous personage he ever knew. Mr. Chandler, the Senator from Maine, is turning to the account of the opposition the difficulties of the Northeastern boundary, and Sanford, of New York, has taken a sudden aversion to the principle of covering the merchandise with the flag, unless so modified as to apply only to nations which recognize the same rule. These persons will do in the Senate just what they please.

28th. Mr. Drayton, member from Charleston, South Carolina,

brought me a letter from J. R. Pringle, Collector of the Customs at that port, whose commission is about to expire, soliciting a re-appointment. Mr. Rush afterwards sent me a letter from Mr. Pringle to him containing the same request. I told Colonel Drayton that I intended to send the name of Mr. Pringle to the Senate for re-appointment at their next meeting, and I had a conversation with Mr. Rush on the subject. Pringle is devoted to the opposition, and so is Drayton, though with more observation of forms of decency than many others. Mr. Jeremiah Condy, from whom I receive the Charleston newspapers and scraps of letters every day, and Mr. John Geddes, once Governor of South Carolina, have each written me a letter asking this office for himself; and yesterday I received a letter from W. H. Crawford recommending Geddes in a manner peculiar to himself—that is, in language of rudeness, self-complacency, and monitorial advice. My system has been, and continues to be, to nominate for re-appointment all officers for a term of years whose commissions expire, unless official or moral misconduct is charged and substantiated against them. This does not suit the Falstaff friends "who follow for the reward," and I am importuned to serve my friends and reproached for neglecting them, because I will not dismiss, or drop from Executive offices, able and faithful political opponents to provide for my own partisans. Crawford informs me that he considers his health as entirely restored; as Luther Martin, shortly before he died, when in a state little above absolute fatuity, told me that he had some months before been so exceedingly out of health that some of his friends for a time had thought his understanding was impaired. There has been some talk here among the friends of the Administration of running Mr. Crawford as their candidate for the Vice-Presidency, and Mr. Rush thought that this letter was intended as an advance towards reconciliation. Treachery of the deepest dye is at the bottom of Crawford's character. It was, before his palsy, combined with strong mental powers little cultivated, and a desperate energy of soul. The whole composition was more like one of Milton's fallen angels than that of any other man I ever knew, excepting that Milton has made his devils true to each other.

Since his paralysis, Crawford has lost much of his memory, much of his judgment, and some of his address. What he has lost of these he has gained in nervous irritability and morbid energy. He has been abandoned by all those of his friends who know his condition, but has been appointed a Judge of the Supreme Court in Georgia; and those of his former partisans who are now friendly to the Administration and who do not know his state have inclined to start him for the Vice-Presidency. I have given no countenance to the project, and trust it will fail. Lewis Williams, of North Carolina, has been the principal promoter of it, and Mr. Rush told me that Williams this day asked him whether Crawford had written letters to him avowing himself against the Administration and in favor of Jackson. Rush said he had; upon which Williams said he would then give him up.

29th. 'Colonel Thomas came, and held a long talk with me upon New York politics. His principal object was to recommend John Duer for the appointment of District Attorney for the southern district of New York. He referred to an address delivered at a meeting in September, 1814, by Mr. Duer, to prove that he had been, though a federalist, a supporter of the late war against Great Britain. He was very ardent in his commendations of Duer, and pronounced him, beyond all question, the most eloquent man in the State of New York. Thomas is a great talker, and has no objection to bearing the whole expense of conversation. He spoke of De Witt Clinton, of H. Clay, of J. C. Calhoun, and of some others, and told me many things they had said in conversations with him. He avows himself a friend to De Witt Clinton quoad the State of New York, but says he has been duped by the promise of the Vice-Presidency, which he will not obtain, and that he is wretchedly poor, having ruined himself by his canvassing expenses in 1812.

General Brown called, and mentioned a question of rank between Majors Ketchum and Kearney, referred to him by the Secretary of War. It involves the long-disputed and yet unsettled question between Generals Scott and Gaines. The Board of Officers at the close of Mr. Monroe's Administration had

declined to decide this question, and General Brown had seemed to incline in favor of Gaines. My opinion had been, with some diffidence, otherwise, and General Brown now says his decision will be that in connection with a command the oldest brevet must be preferred. He added that while he himself was in active service neither Scott nor Gaines could have a command as major-general. They were both brigadiers, and he had placed Gaines at his right hand and Scott at his left. This was the distinction he had taken, and conformably to it he should decide the question between Majors Ketchum and Kearney. The General said he had received my decisions on the Court-martial sentences upon Assistant-Surgeon Bryant and Lieutenant Hunter, and was much pleased with the observations appended to them.

The Prince of Musignano, Carlo Luciano Bonaparte, came to pay a visit. He is going to embark, with his family, in the Delaware ship of the line, bound to the Mediterranean. The Prince was on his way to Norfolk, but I told him I thought the ship had been ordered to Annapolis, and advised him to see the Secretary of the Navy. He thanked me for the opportunity given him of a passage in so safe a ship, and informed me that his uncle, the Count de Survilliers, had come on with him as far as Baltimore, and would be here in a few days.

Mr. Clay came in. He had a copy of a letter from the Emperor of Russia announcing the birth of a Grand Duke on the $\frac{9\text{th}}{21\text{st}}$ September, and named Constantine. I agreed to give audience to Baron Krudener next Monday, to receive this letter. Mr. Clay said his address and documents would be published this day. He spoke of flattering accounts from North Carolina, through Richmond, Virginia. He also read the answer he had prepared to a letter from the Chairman of the Committee of Commerce of the Senate, Woodbury, containing enquiries concerning the expediency of abolishing the discriminating duties. I suggested one or two slight modifications to the answer.

31st. Dr. Watkins and Mr. Dickins came, as a deputation from the members of the Columbian Institute, to request my attendance at their anniversary dinner this day—which invitation I accepted with hesitation. I had agreed to receive Baron

Krudener this day at one o'clock, but Mr. Clay forgot to give him notice of it, of which Mr. Brent called shortly before one and informed me. At half-past one I rode up to the Capitol with Mr. Southard, and at two he commenced his anniversary discourse to the Columbian Institute. He was about an hour in delivering it, and gave very general satisfaction. It was upon the obligation upon the Government of the United States to patronize science. He maintained the cause with great zeal and ability, arguing it as a duty resulting from our situation among the nations of the earth, and recurring specially to the expressed opinions of Washington, Jefferson, and Madison. The apartment of the Institute was well filled with company, one-half of which at least were ladies. I walked home alone.

Mr. Elgar, the Commissioner of the Public Buildings, brought two copies of his annual report of expenditures upon them, to be laid before Congress, conformably to a resolution of the Senate of 28th January, 1818. Mr. Rush called, and mentioned a report he was preparing to send in to Congress, upon the expediency of erecting warehouses in the principal commercial cities for storing important merchandise. He also took with him a London Courier, containing a character of the late Secretary Canning, extracted from the National Intelligencer. In the Courier it was ascribed to me, and spoken of with great commendation; but it was actually written by Mr. Rush himself. I dined at Gadsby's Hotel with about forty members of the Columbian Institute, among whom were Messrs. Clay, Barbour, Southard, Dickerson, Robbins, Woodbury, J. W. Taylor, C. F. Mercer, E. Everett, Mr. Vaughan, the British Minister, Mr. Rebello, the Brazilian Chargé d'Affaires, the Prince of Musignano, Captain Basil Hall, &c. I gave as a toast, "The Cause of Science," which were the first words of Mr. Southard's address; and I left to be given after I came away, "Captain Parry and Captain Franklin. May the disappointments of Science prove rather a spur than a curb to exertion!" I walked home about nine in the evening.

Day and Year. The distribution of my time has been as it was the preceding month, modified by the circumstances attending the session of Congress. This occasions more frequent

visits, and the occasional allowance of time for large dinners. The year has been marked by many occurrences favorable to the public interests, and by some less propitious; by favors of Heaven to my individual and domestic affairs; with others which have tried me with afflictions, and admonished me to be prepared for worse.

> My heart to God in praise and thanks ascends,
> And low in prayer for future mercy bends.

January 1st, 1828.—From noon till three o'clock the New Year's drawing-room was held, and as numerously attended as on any former occasion. About two-thirds of the members of both Houses of Congress, and all the foreign Ministers now in the city, were present. The scruples of the late Ministers from France and Russia seem to have been personal, and not sustained by their Governments. Baron Krudener, Mr. Vaughan, and the Chevalier Huygens, with their families and Legations, were all here; also Mr. Obregon, the Count de Menou, Baron Stackelberg, and Mr. Rebello; all the heads of Departments and their families, the subordinate officers of Government—civil, military, and naval—and many hundreds of private citizens of this place and all the neighboring regions. All the open rooms were crowded and overflowing. The day was uncommonly fine, and the weather temperate.

At three o'clock I withdrew from the room with Mr. Rush to my writing-chamber, and signed the order for the release of Edward Thomson from prison upon the back of the certificate of the two physicians. Mr. Rush read me a letter from G. McDuffie, Chairman of the Committee of Ways and Means, asking for his more detailed views regarding the modifications of the tariff and alterations of duties upon woollens, hemp, iron, fine cottons, teas, and wines. He had brought with him the second of W. H. Crawford's letters to him, written last winter and spring, and promised me copies of both. The Legislature of Georgia have nominated Crawford as a candidate for the office of Vice-President. The Legislature of the last year had already nominated General Jackson for the Presidency. I returned to my chamber, and, under weariness insurmountable,

persevered in writing until near midnight, when I closed the diary of the departed year with prayer for blessing on that now commenced, especially for strength proportioned to its trials.

2d. Mr. Pleasanton came with a letter from C. Grinnell enclosing sealed proposals for supplying oil for all the light-houses of the United States, with a request that he would open them only at a meeting with the Secretary of the Treasury. The contracts are for five years, and for the last fifteen have been held by Winslow Lewis. Pleasanton was in some agitation, and said he considered it as an insult. I thought it little less myself, but told him it was probably not so intended. The imputation was that if he should open the proposals otherwise than in presence of the Secretary, Lewis would get a knowledge of them and underbid. This implies a suspicion of Pleasanton's integrity, and was justly offensive to him. He seemed disposed to send back to Grinnell, who, he said, was a very respectable man, the sealed proposals with a passionate answer. I advised him simply to send them back with a notice declining to comply with the condition, as unusual in the course of business, leaving Grinnell, if he pleased, to send his proposals directly to the Secretary of the Treasury.

Satterlee Clark was a paymaster in the army, dismissed by order of Mr. Monroe in August, 1821, as a defaulter, under the third section of the Act of 21st January, 1823, for having passed one quarter without settling his accounts. He was reported as a debtor to the amount of more than fifteen thousand dollars, for which he has had three trials upon the suit of the Government, one report of referees, and two verdicts of juries in his favor. The verdict of the last jury, the high respectability of whom is attested by the District Attorney, Tillotson, is accompanied with a certificate that they find a balance of more than eleven thousand dollars due to Clark. The failure to produce his accounts for settlement in time he attributes to a dangerous illness under which he was laboring. He now brought a certificate from the Third Auditor that his account had been credited with the balance which had stood against him, and also the report of him as a defaulter by the Paymaster-

General in July, 1824, the very day, Clark says, on which, by the law, he could make this report; and the letter from J. C. Calhoun, written in August, 1824, informing him that the President had directed that he should be dismissed. Clark said he did not consider this as a dismission, and that he claimed still to be in the service. He said that Mr. Oakley and Mr. Storrs were preparing written opinions to that effect.

I told him that if he should bring me those opinions I would give them deliberate consideration, and with a disposition to do him all possible justice, considering him as an injured man. He complained bitterly of the oppression that he had suffered; said it had cost him more than four thousand dollars, and had held him up for four years before the nation as a fraudulent defaulter and peculator of public moneys; that it had driven him, from absolute necessity, into a party consisting of as great scoundrels as lived upon earth. These were his own words, and they are entirely characteristic. He meant the Jackson party at New York, with whom he has been acting to the full extent of his power. His principal motive for assuming the Jackson livery was to secure a jury favorably disposed to him, and he succeeded. His motive now for making such honorable mention of his associates is to propitiate me to this claim of his to be recognized as yet in the public service.

3d. General Van Rensselaer came to renew and urge the recommendation of John Duer as District Attorney for the southern district of New York. He mentioned several of the other candidates who have been recommended, with strong objections against them. Of Edwards he said that his decisions as judge had given so much dissatisfaction that there had been serious talk in the Legislature of removing him. Of Maxwell, that he was odious to all parties, though he believed it was only because he had done his duty. Of David B. Ogden, that he was obnoxious as a federalist, and Van Buren had told him that if he should be nominated he would use all his influence against him in the Senate. Of Blunt, that his forward officiousness and vanity indisposed against him all the Bar.

I told the General that Mr. Tillotson, the present Attorney,

had not declined a re-appointment, and that, as the expiration of his commission was at hand, I had sent in his name to the Senate for re-appointment.

The General thought he was utterly incompetent for the office, and said he had been originally appointed only because he was a family connection of Mr. Monroe. He spoke also of Moses Myers, the man whose nomination it was expected would be opposed in Senate, but which they have confirmed. Van Rensselaer said he believed their only objection against him was that he was an honest man—the first in that Collectorship for many years. The General has a very indifferent opinion of Silas Wright, the new member from that district, whom he considers as a tool of Van Buren, and who, he says, offered himself to him as his land agent. He gave me as an example of the observation he had made about the Collectors at Oswegatchie, that during the late war one of his tenants applied to him for a loan of money for erecting an establishment there for the sale of salt. "To smuggle into Canada," said the General; "but how are you to escape the vigilance of the British authorities in the Province?" "Oh, there will be no difficulty with them." "And how of the Collector?" "Why, to tell you the truth, the Collector is to be in partnership with me." The General, who is himself an honest and honorable man, testifies to no superfluity of political virtue in the State of New York.

Mrs. Hall came to solicit a clerkship for her husband. She told me they had some months since removed to this city for the purpose of procuring an office. This is presumptive evidence of his unfitness for any.

Mr. Ellis, of the Senate, and Mr. Forward, of the House of Representatives, of the Joint Committee of Enrolled Bills, brought me for signature one making partial appropriations for the support of Government during the year 1828, providing for the pay and expenses of the two Houses of Congress, which I examined and signed. The first of the session.

Mr. Everett spoke to me of a resolution proposed by James Hamilton, of South Carolina, to the House of Representatives, for refunding all the moneys paid upon convictions under the

Sedition Law—of the constitutionality of which he asked my opinion. I said that, not having been in the country when that law was enacted, I had never examined that question, but I had seen nothing unconstitutional in it. I had, however, no doubt that an Act of Congress declaring unconstitutional an Act of a preceding Congress would itself be so.

He said that Mr. Barnard, a new member from New York, who boarded in the same house with him, had told him he intended to reply to Hamilton upon this resolution. With regard to the Vice-Presidency, he said it was settled that R. Rush would be nominated by the Harrisburg Convention.

4th. At one o'clock Mr. Clay came, and introduced Baron Krudener, the Russian Minister, who delivered to me a letter in Russian, with a French translation, from the Emperor Nicholas, announcing the birth on the 9th (21st) of September of a Grand Duke, named Constantine. On presenting the letter, the Baron said it had been dispatched under a persuasion that the information of an event so interesting as well to the domestic happiness of the Emperor as to the stability of his Government would be agreeable to me.

I answered by assuring him of the pleasure with which I received this communication. I added that the Government of the United States took a deep and cordial interest in everything that affected the happiness of the Emperor, as well in his family as in the affairs of his people, and that they judged no event could more auspiciously contribute to this effect than this accession to the Imperial family; none could therefore be more gratifying to them.

He said he should take the highest satisfaction in transmitting to his Government these assurances.

I then asked him how he found this climate agree with his health.

He answered, well, and said he would encourage himself in the expectation that it would so continue, notwithstanding the warnings that he had received; and they were many. He lamented that his hearing had so much suffered as to deprive him of much satisfaction, and of the means of making himself so agreeable as he would desire. He comes with numerous

testimonials to the pleasantness of his character and goodness of his disposition.

8th. Mr. Lowrie brought me three resolutions of the Senate; one advising the ratification of the treaty with Sweden, and one of the Convention with the Hanseatic cities. The third was a call asking for Mitchell's map and the map marked A, referred to in the protocols of Mr. Gallatin's late conferences with the British Plenipotentiaries.

Mr. Barnard, a member of the House of Representatives from New York, came with Mr. Rochester, the Chargé d'Affaires to the central republic of Guatemala, who is going with lingering step to Norfolk, to embark for the post of his destination. This gentleman was at the last election of Governor of New York a candidate for that office against De Witt Clinton, and has an earnest craving to be a candidate again. Blunt told me yesterday that if he should be here, he would be the candidate; but, upon the vulgar adage that "a bird in the hand is worth two in the bush," he goes for Guatemala, looking back to New York—like Reynolds's picture of Garrick, between Tragedy and Comedy.

9th. I had some conversation with Mr. Everett about a resolution offered yesterday in the House of Representatives by James Hamilton, of South Carolina, that Allston should be appointed to paint a picture of the battle of New Orleans, to fill one of the vacant panels in the rotunda of the Capitol—one of the reasons that he assigned for which was, that Allston and General Jackson were both natives of South Carolina. This picture was part of the canvass for Jackson; and Hamilton, who fancies himself equal to five Ciceros, flourished in a speech about Allston's restoring the Augustan Age of Painting. Ingersoll, of Connecticut, moved to strike out the name of the painter, leaving the selection of him to the Library Committee, to whom Hamilton proposed that his resolution should be referred. Hamilton, finding that his South Carolina feather had tickled a tender point, ungraciously enough agreed to accept this amendment of Ingersoll's. Kremer, of Pennsylvania, was delighted with the proposal to empanel the battle of New Orleans, but moved, as an amendment, that the artist should

be employed also to paint another picture to be placed alongside of the battle, namely, the Hartford Convention in secret session. The Speaker pronounced this amendment to be not in order.

Everett proposed an amendment enlarging the powers of the committee to the filling of the four vacant panels, and Storrs moved that in the selection of the subjects there should be a due proportion of the tribute paid to the naval achievements of our history. After the hour allowed by the rules for debating resolutions was passed, Hamilton moved a suspension of the rule to continue the debate. Randolph came into the House just in time to say, "I hope not." There was a considerable majority for suspending the rule, but not two-thirds, so that the House adjourned leaving the whole subject afloat. The subject was this day resumed, and occupied the House the whole day. The amendments were all rejected by considerable majorities, and the resolution itself by a vote of one hundred and three to ninety-eight. Mr. Rush called with several papers relating to appointments of sundry officers of the customs. He also spoke of the nomination of himself for the Vice-Presidency at the recent Harrisburg Convention, and enquired what my impressions were respecting it. He said his own course in relation to it would much depend upon my views and those of the members of the Administration.

I told him candidly that, so far as I had been consulted by the friends of the Administration, I had advised that the selection should be made of a citizen residing south of the Potomac. This had been fully considered, and had ultimately been judged not indispensable. The Harrisburg Convention having made the nomination, I hoped it would be universally accepted and supported, and I assured him that no nomination could have been made more pleasing to me. I added that I had received his letters, at the interval of a year from each other, expressing his wish to retire from the Treasury Department and for a mission abroad. So far as these wishes were founded upon the state of his health, the overcharge upon him of public duty, I felt every disposition to gratify him; but that, speaking as his friend, I thought his own interest, and that of the nation, would

be much better served by his remaining in this country instead of his going again abroad. He had more opportunities of bringing himself advantageously before the public. He was daily acquiring a character in the mind of the nation, and assuredly no such reports as his had appeared from the Secretary of the Treasury since those of Hamilton had been made. He appeared to be much affected by these words of kindness, and expressed his readiness to acquiesce in the nomination.

10th. Mr. Marks, a Senator from Pennsylvania, came to speak in behalf of Mr. Condy Raguet, who is here out of place, very anxious to get in again, and somewhat apprehensive that this may not happen so soon as would be agreeable to him. I gave Mr. Marks, in full confidence and frankness, my opinion of Mr. Raguet's conduct, and the history of his successive appointments as Consul, informal Political Agent, and Chargé d'Affaires; the rashness and violence of his proceedings and correspondence before his final explosion; the total want of judgment in the occasion that he took to demand his passports and come home; the danger of war that he had incurred, and the embarrassment into which he had drawn this Government by his heedless impetuosity. I said that, believing his motives to be pure and patriotic, I had sustained him to the utmost extent of my power and conscience. I had passed no censure upon him. I had so stated in my message to Congress and in the subsequent correspondence with the Brazilian Government. I had avoided any avowal of dissatisfaction with him which would have given them a triumph over him. But to replace in diplomatic service abroad a man of such a temper and want of judgment, who took blustering for bravery and insolence for energy, was too dangerous. I could not in conscience do it. There might be no necessity for saying this to him. It may suffice to say there is no vacant office to which he could be appointed. But if he is disposed to have explanations and public disclosures, I shall not object to them; and, I said, if Mr. Marks wished a more specific idea of the character of Mr. Raguet's correspondence, and would call at the Department of State, it would all be shown to him.

He said he had information enough, and should simply in-

form Mr. Raguet that there was no vacant office. Mr. Lowrie, the Secretary of the Senate, brought me five resolutions of that body: three being confirmations of nominations; one, the advice to ratify the Commercial Convention with Great Britain; and one, an enquiry whether my message of 31st December and the documents relating to the Slave Indemnity Convention may be published without detriment to the public service.

Colonel Dwight brought and gave me to read a letter from Lemuel Shaw, of Lanesborough, highly commendatory of Mr. Rush's last annual Treasury report, and also of the message.

11th. Mr. Rush was here, and read a letter to him from the Chairman of the Committee on Finance of the Senate, calling on him for facts and opinions upon a proposition for the reduction of duty bonds. He said that of these calls from committees there were now about five times more than at the last session of Congress. They were harassing and vexatious. The Committees of Ways and Means, and of Commerce, in the House, and of Finance, in the Senate, were sending them in constant succession—sometimes the committees of both Houses making, in substance, the same calls, and requiring double labor to be answered. All these scrutinies are pursued, too, in a spirit of hostility to the Administration, and with purposes of factious opposition. I sent to the Senate message No. 14, answering the enquiry in their resolution of yesterday, expressing the opinion that the message and documents sent the 31st of December last may be published without detriment to the public service.

12th. Mr. Rush was twice here. He read me his answer to the Committee of Ways and Means relating to a reduction of duties upon wines and teas. It proposes a reduction of the duty upon Madeira wine from one dollar to half a dollar a gallon, and upon sherry from sixty cents also to half a dollar. We had some discussion upon the policy of levying the same duty upon those two wines, which I questioned. He also brought me from the Department of the Treasury the names of several persons to be nominated for appointments to offices. He spoke again of his own prospects and wishes, and said he had been entirely convinced of the truth and justice of my

observations to him last Wednesday, but that since then, in considering how deeply his health was affected by the excessive and unremitting labors of the Department, he thought it would be impossible for him to sustain them even one year longer, and that he would be glad to accept the mission to London, or any other abroad in which a vacancy might occur.

This change since Wednesday, though somewhat unexpected, does not surprise me. There is obviously other cause for it besides the state of his health, which was the same then as now. And the other cause is such as he does not incline to allege to me. I can easily conjecture what it is—the preference of the harbor to the tempest.

I told him that, such being his wishes, I should do all in my power to gratify them; that it was not my intention to nominate a Minister to Great Britain till towards the close of the present session of Congress; that in the interval, circumstances might occur to change the aspect of things at home or abroad; that if an appointment should then be made, it would be with full consideration of what was due from me to him, and to what he might then desire.

14th. General Brown called upon me in the deepest dejection of spirits, and told me that he came for that purpose; he had about six years since a paralytic shock, and has been ever since in very precarious health, still flattering himself with hopes of recovery, until about two months past, when he had again a severe attack, which has left him in this state of prostration and despair. He told me that he wished his earthly scene was over, and should terminate it himself but that it was his duty not to desert his post; and intimated that he would resign his commission but that his circumstances were such that it would leave his family destitute; and said he had not opened his lips in this respect to any human being except his wife, but he thought it would be proper that he should make known this, his sense of his own condition, to me.

I endeavored to cheer him by attributing this pressure upon his spirits to the weather, which for several weeks has been, and still continues, damp and gloomy, and full of fogs and vapors, and said that with the return of a clear sky and bracing

atmosphere he would recover his spirits and better health, and, at all events, he would be prepared to receive the dispensations of Providence with composure and firmness.

> Why should I grieve, when grieving I must bear,
> And take with guilt what guiltless I may share?

He appeared to be partially soothed with these observations, the justness of which he admitted, and he asked me if I had read his answer to a call from the House of Representatives asking about the reasons, authority, and expense of a late dislocation and exchange of stations between the two divisions of the army, made by his orders—a movement which has met with some censure.

I had read his answer, which bears some indications of a wounded spirit.

J. W. Taylor was here in the evening. He spoke of the next New York annual election, which, he observed, would be a general one, for Governor, for the Legislature, for Sheriffs, for Congress, and for Electors of President and Vice-President. He believed the success of all would depend upon the selection of candidate for Governor, the spirit of the New York elections having always been governed by local feelings. He said it was understood that the combined Van Buren and Clinton party had fixed upon the Comptroller, Marcy, for their candidate, and he thought the best person to oppose to him by the friends of the Administration would be Judge Thompson; that he might perhaps feel some reluctance at giving up his office as Judge of the Supreme Court for the uncertain prospect of an election which, if successful, would be only for two years, and at the end of that time might leave him destitute. It had occurred to him (Taylor) that from the intimacy that had subsisted between Judge Thompson and me, as associates in the last Administration, I might perhaps have some influence in forming his determination, and particularly by presenting to him the prospect that if, after two years' service as Governor, he should not be re-elected, an office of adequate indemnity should be given him under the Government of the Union.

I said this was a proposal upon which I should wish for time

to reflect before giving a definitive answer. In its first aspect it appeared to me liable to objections: first, as an unsuitable interference in the election of Governor of New York; secondly, as it would require a pledge from me to Judge Thompson, which in itself might be deemed exceptionable, and which it might not be in my power to redeem. His place upon the bench, if vacated, must be immediately supplied by a citizen of the same State or section of the Union, which would necessarily exclude him until a new vacancy of that same seat. The offices of Collector and Postmaster at New York were scarcely to be thought of for him, nor was there any prospect to be relied upon that they, or either of them, would be vacant at the time. What office was there that I could give him reason to expect?

He said, a foreign mission.

I replied that I could have no certainty that there would be any mission abroad vacant at the time, and, if there should, I could scarcely engage it in anticipation, so as to preclude myself from selection of the person to fill it. And this consideration was the more forcible inasmuch as Judge Thompson's life and experience have not been diplomatic. I said also that Judge Thompson's situation was favorable for being a candidate, as in the event of failure he would still hold his present office, and could not be removed from it. Even in the event of failure he would come so near to success that it would rather add to his standing in society; and in the event of success it could scarcely be doubted that he would be secure of re-election.

There was much more of this conversation, and Taylor said he should give up the idea of pursuing his suggestion further.

I said that Judge Thompson would be an excellent candidate for them, and I had no doubt would prove an able Governor; and I indicated to him a source of influence to persuade him, of which he said he would avail himself; and I urged him, if Judge Thompson should decline, to think of Mr. Sanford.

He said the feelings of the friends of the Administration in New York were embittered against Sanford, not only from his persevering and inflexible refusal to take any part in the meas-

ures which they were pursuing to sustain the Administration, but for his vote at the commencement of the present session of Congress with regard to the choice of a printer to the Senate.

I said the vote was susceptible of explanation. Mr. Sanford was not unfriendly to the Administration, though he had not chosen to make active exertions as a friend. But if elected Governor of New York he would have no spirit of hostility to the Administration, and the neutrality of his course hitherto would perhaps be more favorable to his success than if he had been more anxiously devoted to our cause. Taylor did not seem to be convinced; but the subject may be resumed.

17th. Returning from my daily morning walk round the Capitol Square, I met a man, shabbily clad, who accosted me and said he had been to the President's house to see me. I shook hands with him, told him I was glad to see him, and enquired his name. He said it was Skinner; that he belonged to a cotton factory near Baltimore—there were many there; and they had told him that if he came here I would not see and speak with him; and that was all he wished in calling upon me.

Mr. Vance, a member of the House, introduced Mr. Meeker, of Ohio, who, he said, had come with a drove of hogs to Richmond, Virginia, and then came on to visit Washington.

Mr. Taliaferro, member of the House from Virginia, came with Mr. Scott, who is an applicant for office and brought with him letters of recommendation from a large portion of the Virginia delegation, and from Judge Washington. Governor Barbour called with a resolution adopted yesterday by the House of Representatives, calling for copies of the proceedings of the Mobile Court-martial on the Tennessee militia-men, and of all the correspondence between the Secretary of War and the Governor of Tennessee on the subject. This correspondence with the Governor, he said, was voluminous, and the letters touching this subject contained also much matter relating to others, and he asked advice whether to send the whole of the letters, or extracts of what related to the term of service of the militia-men only.

I thought the extracts would be sufficient.

Mr. Bartley, member of the House from Ohio, brought a letter urging the fixation of the controverted Land Office at Tiffin. I told him I had requested Mr. Graham to give the final order for its location there by the 1st of May next. He said he had also received an abusive anonymous letter against it, which he believed was written by Platt Brush.

Mr. Satterlee Clark brought me the written opinions of Mr. Oakley and Mr. Storrs upon the question of his removal as a paymaster in the army. He asked if it would be necessary for him to address to me a memorial on the same question. I thought he should.

Mr. Cutts, the Comptroller, came with the volume of the Army Laws, and some accounts of T. L. McKenney, of Governor Duval, of Florida, and of the Indian Agent, Tipton, and stated to me the principle of his objection to their accounts; but I had not had time to read the papers relating to the controversy left with me yesterday by Governor Barbour. The question requires deliberate consideration, and great discretion in determining upon the principle to be hereafter pursued.

Mr. Dorsey, member of the House from Maryland, introduced Mr. Richard Dorsey and another friend; and Colonel Jones, the Adjutant-General, came with Lieutenant-Colonel Lawrence, of the Third Regiment of Infantry.

Colonel Roberdeau brought me the two copies of the map of the heads of the St. Mary's River which are to be sent to Congress with the communications received from the Governor of Georgia. He also showed me a letter from Mr. Elliot on some remarks indirectly censorious upon the Colonel, made by G. C. Verplanck, a few days since, in the House of Representatives. They were unjust, and the Colonel feels them severely.

A Mr. King, a juryman at the Circuit Court, brought a recommendation of pardon, signed by the jurors and Judges, for a man named Peter Hanneberg, this day convicted of larceny, and sentenced to be whipped ten stripes and pay a fine of a dollar. I sent back the paper, first for a petition from the man himself, and then for a statement by the Clerk of the Court of the indictment upon which he was convicted.

19th. Mr. Bell, a member from Tennessee, who last week

brought me the petition for the pardon of Mahon, called for my answer. I told him that, after full deliberation, I had made up my mind that I could not, consistently with my own sense of duty, comply with the request of the petition. The offence was stealing from a letter in the mail, while acting as postmaster, a lottery-ticket entitled to a prize of one thousand dollars; a complicated crime, combining theft and a breach of confidential public trust—a crime so dangerous in its consequences, and to which there is so great exposure of temptation, that society has scarcely any guard against it excepting in the severity of the punishment; that ten years' imprisonment was scarcely adequate to it; that the respectability of the family and connections of the criminal, showing only the weight of influence bearing in his favor, afforded no sound reason for relaxation; that the only consideration urged in the petition which had induced me to hesitate was, the state of the prisoner's health and the danger to his life from confinement. But upon mature consideration I had concluded that this would still not justify a pardon, unless by assuming as a principle that in all cases sickness should operate as a discharge from prison —a result which the law certainly never contemplated. This man was sentenced only last year. The term of his imprisonment is for ten years. The risk of sickness and of death in such a term must apply to all cases, and a discharge of this man from prison now would be almost equivalent to a total remission of his punishment.

Mr. Bell admitted the force of these reasons, and said he would state them as correctly as he was able in answering the persons from whom he had received the petition.

I desired him to add that I had been equally rigorous upon every other application for remission of punishment upon convictions for this offence, and that it would have been infinitely more agreeable to me if I could have complied with the prayer of the petition.

21st. Mr. Bell, Senator from New Hampshire, came to say that Mr. Benton was intending to make a great effort against the ratification of the Northeastern Boundary Convention with Great Britain; that he would probably fail in this, because

Tazewell did not sustain him, but was in favor of the ratification. Tazewell is, however, now absent, and it will be some time before he returns; it may, therefore, be two or three weeks before the Senate will act definitively upon the Convention.

I have no reliance either upon the good faith or consistency of Tazewell; but I told Mr. Bell there was no occasion for hurrying the decision of the Senate.

He said that upon the Northeastern Boundary Convention the Senators from Maine had been strongly inclined to oppose its ratification, until General Chandler was alarmed by the fear of his own responsibility in the event of its rejection. They did not venture, therefore, to push the opposition to that point, but contented themselves with voting alone against the advice to ratify. Mr. Bell said that, notwithstanding the friendly professions towards the Administration, he has no confidence in him. He will watch the signs of the times, and will declare ultimately for the strongest side. Of such summer friends I have multitudes. They constitute all majorities.

The Cabinet meeting at one, all the members being present, was to determine upon the message to Congress, with the communications received from the Governor of Georgia, relating to the boundary between that State and Florida. Part of the papers were read, as were the Act of Congress of the 4th of March, 1826—the passages of Ellicott's Journal showing the line as drawn by him and the Spanish Commissioner, Miner, in 1797, and the letter from T. M. Randolph, late Commissioner on the part of the United States, announcing the suspension of proceedings by him and the Georgia Commissioner, by order of the Governor of that State. The question discussed was, whether the message should express any opinion or recommend to Congress any measure, or should be a mere communication of the papers. The latter was thought the most advisable, and I struck out the general recommendation which I had inserted in the draft, of such measures as might conciliate the rights and interests of the United States and of the Territory of Florida with those of Georgia.

Governor Barbour brought with him the treaty recently concluded with the Creek Indians, ceding to the United States all

the remnant of their lands in the State of Georgia; also the papers relating to the Militia Court-martial at Mobile in 1814, called for by a resolution of the House. There were among them some letters from General Jackson, and question was made whether they should be sent with the rest. I thought not, as they were not embraced by the resolution.

22d. Mr. Tracy, member from New York, and Dr. Watkins called together. Mr. Tracy's object was to ask of me a renewed declaration that I was not a Freemason. I had already told him that I was not; and he made many apologies for repeating the question, but said that in the western part of New York this was now the only test of elections; and he read me a part of a letter from one of his friends, who wrote him that although a positive denial had been published that I was a Mason, the assertion that I was had been republished, with promises to produce extracts from the books of the lodge to which I belonged.

This is a sample of electioneering falsehoods. I had received this morning two letters full of anxiety for the effect which the belief of my Masonry would have against me, and one of them entreating me to give a denial of it under my own hand. I told Tracy that if I should deny it I should not be surprised if they were to produce a forged extract from some imaginary lodge to counteract my denial. Such are the morals of electioneering!

23d. Dr. Watkins came in behalf of Governor Barbour, to enquire if there was a prospect that I would nominate him for the mission to Great Britain, and said that Mr. Clay had induced him to expect it.

I told the Doctor that it would be exceedingly agreeable to me to gratify any wish of Governor Barbour, but that I should make no nomination for that mission now, nor probably till the close of the present session, and that I had induced expectations in another quarter which I could not disappoint.

Mr. Lincoln came with Mr. McCoy, a Baptist missionary among the Indians, with whom I had some conversation upon the subject of that unfortunate race of hunters, who are themselves hunted by us like a partridge upon the mountains. Mr.

McCoy wishes the Government of the United States to assume the protection of them and assign to them a territory where they may remain unmolested. I observed that the Secretary of War had proposed a plan for the government of them at the last session of Congress, which had not been acted upon. I observed that our engagements with the Indians, and those among ourselves in relation to their lands, were inconsistent with each other. We had thus contracted with Georgia to extinguish the Indian title to all the lands within the State of Georgia, and at the same time stipulated with the Creeks and Cherokees that they should hold their lands forever. We have talked of benevolence and humanity, and preached them into civilization, but none of this benevolence is felt where the right of the Indian comes in collision with the interest of the white man.. The Cherokees in Georgia have now been making a written Constitution, but this imperium in imperio is impracticable, and in the instances of the New York Indians removed to Green Bay, and of the Cherokees removed to the Territory of Arkansas, we have scarcely given them time to build their wigwams before we are called upon by our own people to drive them out again. My own opinion is that the most benevolent course towards them would be to give them the rights and subject them to the duties of citizens, as a part of our own people. But even this the people of the States within which they are situated will not permit.

24th. General Van Rensselaer and Mr. Dickinson called this morning to speak of the appointment of a District Attorney at New York. They had heard that I was inclining to nominate General Tallmadge, and came to make representations against him. The only reason that they assigned was, that the appointment would produce a bad political effect, Tallmadge, as they said, having lost the confidence of all parties.

I reminded them that within three years he had been elected by the people almost unanimously Lieutenant-Governor of the State, and said the turns of popularity in that State were so sudden and complete that it would not be surprising if within three years he should be with equal unanimity elected Governor; that I knew of nothing that he had done to forfeit his

popularity; that his standing as a public man was more distinguished than that of either of his competitors; that his qualifications for the office were unquestioned, and that however irresolute or wavering his general political character may have been, he had not been so to me, as on two important and critical occasions he had been a decisive and most efficient friend to me.

These gentlemen did not reply to my reasoning, but left me quite unconvinced of its force.

Mr. Sloane, member from Ohio, came to express some apprehensions with regard to the appointment of Mr. Webster as Minister to Great Britain, on account of his political conduct during the late war.

I told Mr. Sloane that I should make no nomination, certainly till near the close of the present session of Congress; in the mean time, thanking him for this communication, I should always be glad to see him whenever he might incline to give me his opinions upon any subject of public interest.

At two o'clock Captain Basil Hall came, with Mrs. Hall and their infant daughter Elizabeth, two years of age. He had requested me last evening to permit him to bring her to see me, to which I had consented. Captain Hall is an officer in the British navy, who has published an account of the Loo-Choo Islands, and a book of travels in Chili and Peru. He is now going through the United States, with the intention of publishing an account of his tour. He brought me letters of introduction from Mrs. Agnes Porter and from Mr. Gallatin, and his deportment towards me has been marked with flattering civility. The impressions he has left at Boston and at Philadelphia have not been favorable; and he is equally unsuccessful in making friends here.

Mr. Clay was here, and spoke of the appointment of a District Attorney in New York. He also told me that about thirty of the manufacturers now here from various parts of the Union called upon him this morning, and that very unexpectedly Mr. Niles, of Baltimore, rose, and in their names pronounced a formal address to him.

25th. Mr. Bell, a Senator from New Hampshire, showed me

a letter from Pennsylvania, proposing a subscription for the purchase and setting up of a German newspaper in support of the Administration, and Mr. Bell enquired if I should be willing that my son should contribute to this object.

I told him that, on a full consideration of the real nature of the transaction, I thought it my duty to decline. I said that how far the employment of money to promote the success of the election might be proper in others was not for me to determine; I could only lament the necessity, if it existed; but to apply money myself for the promotion of my own election was, I thought, incorrect in principle, and I had invariably avoided it. Others, I knew, were less scrupulous. It was a widely-circulated and, I had no doubt, well-founded belief that De Witt Clinton, in 1812, had incurred expenses to promote his election as President of the United States which have crippled him with debts to this hour, and from which he will never be extricated. He paid not only for newspapers, but for agent-emissaries, and even for itinerant preachers. I had been solicited to do the same thing, and declined, not from pecuniary considerations, but because I could not approve the thing.

Mr. Rush called with papers of several subjects before the Department of the Treasury. One related to the resolution of the House of Representatives calling for the correspondence concerning the transfer of the printing and stationery of the custom-house at Philadelphia. The answer accompanied one short letter, directing the Collector to give the printing and supply of stationery to J. Binns, as the only letter on the files of the Department relating to the subject. Another was an application of L. Sawyer, with Rogerson, the Collector at Elizabeth City, for a marine hospital there. It has much the aspect of a job. A third affair was the seizure of one hundred and twenty-one slaves at Key West, which had been taken by an English public vessel from a Spanish slave-trader and run ashore within our jurisdiction. There is a complaint from the captain of the British vessel against the Collector at Key West, and a counter-complaint of the Collector against him. I have no doubt it will prove a troublesome affair. I desired Mr.

Rush to look over all the papers as soon as possible, that we may determine what shall be done.

26th. Mr. Fürst came to tell me that he should return next week to Philadelphia, and to repeat the request of the loan of my father's portrait, that he might engrave from it a die for a medal; but he also wanted me to give him a written order for one or more of the medals—which I declined; though I told him I would take perhaps half a dozen of them if he should execute the work. He wanted the order as an apology for undertaking it, and said it might otherwise be represented that his motive was to obtain favors from me.

I said that imputation appeared still more likely if I should give him the written order that he desired; that his undertaking was not at my request, as he knew I had rather dissuaded him from it, convinced that in a country where there is no taste for medals he could not expect to be paid for his labor on the die. I told him I would pay for and keep the box which he has had made for packing up the portrait for transportation.

Mr. Everett was here in the evening, and told me that there had been in the House of Representatives this day the most disgraceful scenes he had ever yet witnessed. The debate continues on Chilton's resolutions for retrenchment and reform. But Chilton himself has now offered another string of resolutions as a substitute for the first, and confining the attack to the application of the contingent funds of the several Departments. My old settled accounts were again brought into discussion by Mr. Floyd, of Virginia, who referred to the erroneous statements in the document, vol. vii. p. 120, of May, 1822, to exaggerate the amount of sums received by me.

Mr. Everett told me he intended himself to speak on the question, and asked me for information—which I gave him. I read to him part of the paper I had drawn up last spring and left unfinished, and, at his request, let him take it with him. He also took the volume containing the document, the error of which I pointed out to him.

29th. Mr. Biddle, the President of the U. S. Bank, called with his brother Richard, from Pittsburg. There had been a

question between them whether the quotation "Video meliora proboque, deteriora sequor" was from Horace or Ovid. I had pronounced it from Horace, and so had the President of the bank, and Mr. Everett. They had now ascertained that it is in the Metamorphoses, Book VII. lines 20 and 21—a speech of Medea.

I had successively as visitors Mr. Edward Ingersoll, of Philadelphia, Mr. David Hoffman, of Baltimore, and Major Stark, now of Pembroke, New Hampshire. I had known Stark when I was a student at Haverhill, in 1785. I have but an indistinct recollection of having ever seen him since. He came suddenly and unexpectedly into my chamber this morning as I was writing, and said, very abruptly, "I suppose you do not remember who I am?"

"Yes, I do," said I.

"Well, what is my name?"

"Stark," said I.

It was so; yet forty-three years have scored upon his face lineaments very different from those I had formerly seen upon it.

I sent this day to the Senate message No. 19, with navy and other nominations, and message No. 3 to the House of Representatives, with correspondence between the Secretary of State and the Brazilian Chargé d'Affaires, Rebello. Message No. 18, with two Indian treaties, had been sent yesterday to the Senate.

30th. Mr. Everett called to make enquiry concerning an infamous calumny upon me contained in a note to an electioneering life of General Jackson, published by Isaac Hill, editor of a newspaper in New Hampshire. It is, that while in Russia I attempted to make use of a beautiful girl to seduce the passions of the Emperor Alexander and sway him to political purposes. This is a new form of slander—one of the thousand malicious lies which outvenom all the worms of Nile, and are circulated in every part of the country in newspapers and pamphlets.

I told Mr. Everett the incident upon which this tale was raised; that when we went to Russia a very beautiful girl, a native of Boston, named Martha Godfrey, went with us, as

chambermaid to my wife and nurse to our son Charles, then a child two years old. Soon after our arrival at St. Petersburg, Martha wrote a letter, perhaps to her mother, relating stories that she had heard there of the Emperor's amours and gallantries. This letter, having been sent to the post-office, was, according to the custom there, opened, and sent as a curiosity to the Emperor, who was diverted with it and showed it to the Empress. They both felt a curiosity to see the girl who had written this letter, and some of the ladies of the Court, who had visited Mrs. Adams, having seen Charles with his nurse, had spoken to the Empress of both in such manner as still further to excite her curiosity. The Empress had a sister then living with her, the Princess Amelia, of Baden. She expressed a wish to see Charles, and he was sent one morning to her apartment in the palace. Martha, his nurse, went with him, and while they were in the Princess's apartments the Emperor and Empress both went there, and passed perhaps ten minutes in talking to the child, and at the same time they had an opportunity of seeing the nurse, whose letter had afforded them some amusement. It is from this trivial incident that this base imputation has been trumped up. There never was any other foundation for it. Martha Godfrey was a girl of irreproachable conduct. She returned to the United States with Mrs. Smith, married a very respectable musical-instrument-maker in Boston, and died there within the last three or four years.

Mr. Garnsey, member of the House from the western part of the State of New York, came to ask me the question whether I was a Mason. This question absorbs all others upon the electioneering canvass in that part of the country; and the slandermongers there, disregarding all other lies, only pledge their words and their oaths that they know me to be a Mason. Garnsey told me that he was himself one; and he gave me to understand that in the event of the formation of a new Territory, carved out of Michigan, he would like the appointment of Governor to it.

31st. J. Sergeant, member of the House from Philadelphia, called, and spoke of the debate which has occupied the House for several days, upon resolutions offered by a new member

from Kentucky, named Chilton. This man, after two trials, was elected by a majority of forty or fifty votes, upon the strength of declamations at the stump against the wasteful extravagance of the Government, with promises that if elected he would undertake a reform. Accordingly, within a week after taking his seat he offered his resolutions: first, declaring the necessity of retrenchment to save money for paying off the public debt; and, secondly, proposing reductions of expenditure, not only in the Executive Departments, but in the contingencies of the two Houses of Congress, and in the pay of the members.

This movement has disconcerted the party to which Chilton belongs, by bringing up for discussion general charges of abusive applications of public moneys, not only by the Executive, but by the two Houses of Congress; not only by the present but by past Administrations. Their project had been to point this battery exclusively at this Administration, upon some such charge as fifty dollars paid for an old billiard-table. The leaders of the party, therefore, who are John Randolph of Roanoke, Samuel D. Ingham, of Pennsylvania, and George McDuffie, of South Carolina, have been struggling, by amendments proposed, to narrow down the discussion, so as to make it bear exclusively upon me and Mr. Clay; and, while deprecating all general investigations, they have asserted and insinuated every slanderous lie with which the newspapers of the last three years have been teeming. This has given rise to recriminations on the part of the friends of the Administration, and to the waste of time and of public money, more than any retrenchment committee will ever save.

Mr. Clay brought a note from the British Minister, Mr. Vaughan, with several enclosures, relating to the capture of a Spanish slave-trading vessel, named the Guerrero, by a British armed schooner from the Bahamas, called the Nimble, Captain Holland. The captor and prize-vessel both grounded on the Florida Reef, within our jurisdiction. The captor was got off; the prize was wrecked, some of the slaves retaken by the prize-crews and carried off to Cuba, a hundred and twenty-one sent by Captain Holland to Key West and there seized by

the Collector, Mr. Pinckney, who also demanded of Captain Holland payment of duties upon the cargo saved from the wreck of the prize. Captain Holland refused payment of the duties; demanded the delivery of the slaves to him, which was denied; and he complains of the Collector. Copies of their correspondence have also been transmitted by the Collector to the Secretary of the Treasury, with a request for instructions. I desired a Cabinet meeting on the subject, Saturday at one.

Day. Differing little from that of the preceding months, but my average rising hour has been five. Every weekday morning before breakfast I have walked round the Capitol Square, and an undue proportion of my time has been absorbed journalizing in this book. It has left me scarcely one hour for miscellaneous reading, but it has also left me little leisure to fret myself because of evil-doers.

February 1st. Mr. Edward Ingersoll called, and spoke of the memoir of my father written by him and published in the Biography of the Signers of the Declaration of Independence. I told him of my design to write memoirs of the life of my father; and perhaps a History of the United States from the formation of the present Constitution of the United States. But, I said, if I did, I should probably leave the work to be published after my decease.

2d. There was a Cabinet meeting at one o'clock, attended by the heads of the Departments of State, Treasury, War, and Navy. The Attorney-General was absent. The seizure of the prize-slaves by the Collector at Key West, and the note of the British Minister, Vaughan, were discussed, and the case has become yet more complicated by claims for salvage, this day received by Mr. Clay, from citizens of the United States, for having saved the British schooner herself when she had struck upon the reef, and the cargo of her prize, which was wrecked. In the correspondence forwarded with the claim, Captain Holland admits that salvage was due; but he went away without allowing anything. The whole transaction presents five or six different questions, involving—1, the fact of capture; 2, the right of capture, not by the law of nations, but by virtue of a treaty between Spain and Great Britain; 3, the laws against

the slave-trade, of Spain, Great Britain, and the United States; 4, the territorial jurisdiction of the United States; 5, the revenue laws of the United States; 6, the Act of Congress of 3d March, 1825, concerning wrecks on the coast of Florida; 7, the right of salvage according to the laws of nations; 8, the privileges and exemptions of the public ships of one nation within the territorial jurisdiction of another; and, very probably, 9, a claim of protection and indemnity of the Spanish owners of the prize-ship stranded within the jurisdiction of the United States. Some of these questions are exclusively of judicial cognizance, others altogether Executive; but, even of those triable at law, some appear to be beyond the jurisdiction of our tribunals, and others of their cognizance alone. We had much conversation upon all these points, without coming to any definite result. Finally, Mr. Southard took the papers, with promise to put them into the hands of the Attorney-General to-morrow, and we are to have another meeting on Monday.

3d. Remiss in the performance of my daily tasks, which threw me into arrears, first by an hour absorbed this morning in reading the lives of Demosthenes and of Cicero in Plutarch, and then by dallying with time in the evening. I heard, however, Mr. Wiswall, from Romans viii. 9: "Now if any man have not the Spirit of Christ, he is none of his." A dissertation upon the Spirit of Christ; written in a plain style and read without attempt at eloquence. There was nothing in it to blame, and nothing left upon the memory of the hearer between the services.

Mr. Everett called and read to me a part of his speech delivered in the House of Representatives the day before yesterday, and which he had written off for the printer. It was that relating to my accounts, and to some of the slanders in circulation against me. It is to be published to-morrow morning, and a great part of it, in which he had reviewed the laws concerning the contingent expenses of foreign intercourse, had already been given to the printer. Mr. Everett said Mr. Sergeant had yesterday made an admirable speech on the same resolutions.

In the afternoon I heard Mr. Baker, from Jeremiah vi. 16: "Thus saith the Lord, Stand ye in the ways, and see, and ask for the old paths, where is the good way, and walk therein, and ye shall find rest for your souls." He omitted the remainder of the verse—"But they said, We will not walk therein." This omission made it a sermon merely of exhortation, and not of rebuke. The division of the discourse was natural and judicious: 1. That in the pursuit of happiness there is a good way, and that it is in the old paths. 2. That it is the duty of men to search and enquire after this good way. 3. That having found it they must walk in it, as well in faith as in practice. 4. That the reward of this shall be happiness—rest unto the soul. The text is a fruitful one for the support of ancient doctrines and primitive manners. The chapter from which the verse is taken contains one of the most awful prophecies of the capture of Jerusalem by the Chaldean conquest. The charges against the people are of covetousness, false-dealing, slander, and abomination—meaning, I suppose, idolatry. It is by the reform of these abuses that the warning of the Lord offered rest to their souls; that is, peace, redemption from the horrors of the invasion and conquest that awaited them. This view of the text, however, was not taken by Mr. Baker. His application of the lesson of the prophet was only to sustain the doctrines of Calvinism. But the good way of the old paths might be urged more plausibly as to doctrines by the Romish or Greek Church than by a Protestant Calvinist. Nor is a text from the Old Testament much adapted to recommend the Christian system, by which all old things are done away and all things are become new. The most forcible application of this beautiful imagery would be to practical morality—to those virtues which are of all ages, and to which men must return to escape the desolation which their vices must ultimately bring upon them.

4th. Mr. Rush called early this morning to say that the meeting of the Commissioners of the Sinking Fund to make their annual report to Congress was to be held at the Capitol this day, and must be attended by the Secretary of State, the Attorney-General, and himself. He said that Mr. Wirt wished

also for two or three days of time to mature his opinion upon the case of the slaves seized by the Collector at Key West, the papers relating to which were yesterday put into his hands. The Cabinet meeting appointed for this day was therefore postponed.

5th. Mr. Clay read me a draft of an answer to a letter from the Judiciary Committee of the Senate, calling for copies of the instructions given by President Washington to Andrew Ellicott for running the boundary line in 1797 with the Spanish Commissioner, and of the report made by the Commissioners. In this draft Mr. Clay had stated that he had submitted the letter of the committee to the President, by whom he was directed to send a copy of the instructions, and to state that no copy of the report was to be found, &c.

But this call by a committee for copies of documents in the Department of State was a new and unprecedented thing, which I told Mr. Clay I was unwilling to sanction by compliance, even with the reservation that he had made. I therefore proposed to him that he should informally suggest to the Chairman of the committee the expediency of obtaining a regular call for these papers by a resolution of the Senate. Mr. Rush had a similar order from the committee of the Senate on Finance; but that was only for a statement of Treasury returns, such as it has been usual to furnish to committees heretofore.

Mr. Dorsey, member from Maryland, and Mr. Taylor, from New York, successively called, and engaged almost the whole of this evening. They mentioned the bitter and slanderous speeches which are pouring out in floods upon what are called the retrenchment resolutions. Mr. Dorsey made various enquiries with a view to answer some of the misrepresentations which have been dealt forth with unsparing hands.

I was much occupied the remainder of the evening with the Histories of Tacitus, who always instructs and charms.

Mr. Rush told me that Mr. Calhoun, the Vice-President, was again disposed to be troublesome at the meeting of the Commissioners of the Sinking Fund yesterday, as he had been two years before, and was again checked by Chief-Justice Marshall.

His object is to drain the Treasury of all the balance in it, so that any casualty of an unusual call might find it unprovided and raise a clamor against the Administration. Last year he was in temporary abdication, and did not attend the meeting. And this is the last year of his power of annoyance in this particular; for at the next annual meeting of the Commissioners the Administration will be dislodged, and his aversion to superfluous balances without an object.

6th. The Cabinet meeting was held from one to four o'clock. Present all the members. I first referred to their consideration a letter received this morning from John Forsyth, Governor of Georgia, enclosing a printed pamphlet containing a Constitution of the Cherokee Nation of Indians, regularly formed by an Assembly of Chiefs last July; in all essential points resembling the Constitutions of our States, establishing a legislative power in two branches, an elective Chief Magistrate, and a judiciary of a Supreme and subordinate Courts. The Governor of Georgia considers this as violating the article of the Constitution of the United States that no new State shall be formed within any of the separate States, or by uniting parts of different States; and he calls upon me to be informed what the General Administration intend to do in this case.

I observed that I did not consider the article of the Constitution cited by the Governor of Georgia as applicable to the case, supposing its operation must necessarily be limited to the parties to the compact; but I thought that the Indians could not by any formation of a Constitution change the character of their relations towards the United States, or establish an independent civilized government within the Territories of the Union.

There was some discussion upon this point, and Mr. Clay inclined to the opinion that the principle which I assumed did bring the subject within the article of the Constitution to which the Governor of Georgia appeals. He also thought that the right of the Cherokees to form a Constitution might depend upon the nature of the Constitution itself. He did not view it as a necessary consequence that their Constitution must be incompatible with our territorial rights. I therefore requested

the members of the Administration to take and examine the papers, with a view to an early meeting to determine what shall be done.

The other, and proper object of the present meeting, was the answer to be given to Mr. Vaughan's note, upon the complaint of Lieutenant Holland, for the seizure of the Africans by the Collector at Key West; the instructions to be given to the Collector; the course to be pursued with regard to the claim for the salvage, and the probable contingency that a Spanish claimant may hereafter appear of the wrecked slave-trader.

I never knew a transaction entangled with so many controvertible questions. After long discussion, which terminated more in passing from one difficulty to another than in settling any one of them, I concluded—1. That the answer to Mr. Vaughan should explicitly deny all right of complaint by Lieutenant Holland for the seizure of the negroes, and rather waive the claim of the Collector to payment of duties on the goods; but the claim to salvage to be explicitly stated to him. An offer of time to be made within which Lieutenant Holland may bring the question of his right to the negroes before the competent judicial tribunal within the United States, but with information that the men, being emancipated by our laws, must within a reasonable time be sent to the Colony of Liberia, in Africa.

Corresponding instructions are to be given to the Collector at Key West, and Mr. Southard is to be making all necessary preparations to provide, without unnecessary delay, for the transportation of these people from Key West to the Colony.

Mr. Clay had a note verbale from the Russian Minister, Baron Krudener, complaining of the slander upon the memory of the Emperor Alexander in the pamphlet noticed by Mr. Everett, and enquiring if there were no means of obtaining reparation for it. I advised Mr. Clay to see the Baron, and say to him that there was no remedy against such libels in this country but contempt; but to observe that in this particular instance the calumny upon the Emperor Alexander was slight, and evidently used only as inducements to the infamous imputations upon me and my wife.

7th. I omitted to mention that yesterday I sent message to Congress No. 6, with the treaty with Sweden; the ratifications of which were exchanged by Mr. Clay and Baron Stackelberg the 18th of last month.

Mr. Tracy, member of the House of Representatives from New York, was here this morning, and made some enquiries respecting the principle of re-appointment to offices the tenure of which is limited to four years. I told him that the Act of Congress of 15th May, 1820, by which all the offices employed in the collection of the revenue were thus limited, had not answered the purpose for which it was intended; that the ostensible object under color of which it had been carried through Congress had been to secure the accountability of those officers, for which other enactments would have been much better suited; that its real and immediate object was to promote the election of W. H. Crawford as President of the United States in 1825. It placed the whole body of Executive officers of the General Government throughout the Union at the mercy, for their continuance in office, of the Secretary of the Treasury and of a majority of the Senate. It was drawn up by Mr. Crawford, as he himself told me. It was introduced into the Senate by Mahlon Dickerson, of New Jersey, then one of his devoted partisans, and its design was to secure for Mr. Crawford the influence of all the incumbents in office, at the peril of displacement, and of five or ten times an equal number of ravenous office-seekers, eager to supplant them. This object succeeded so far as to enlist a multitude of most active electioneering partisans in Crawford's cause. The Custom-House officers throughout the Union, the District Attorneys, Marshals, Registers of the Land Offices, Receivers of Public Moneys, Paymasters in the army, and all their family connections, were ardent Crawfordites. The Senate was conciliated by the permanent increase of their power, which was the principal ultimate effect of the Act, and every Senator was flattered by the power conferred upon himself of multiplying chances to provide for his friends and dependants. But the gravity of the mass was disproportioned to the length of the lever. Mr. Monroe unwarily signed the bill without adverting

to its real character. He told me that Mr. Madison considered it as in principle unconstitutional. He thought the tenure of all subordinate Executive offices was necessarily the pleasure of the chief by whom they were commissioned. If they could be limited by Congress to four years, they might to one—to a month—to a day—and the Executive power might thus be annihilated. Mr. Monroe himself inclined to the same opinion, but the question had not occurred to him when he signed the bill. In carrying the Act into execution, he adopted the principle of renominating every officer at the expiration of his commission, unless some charge of misdemeanor should be adduced and proved against him, and during the last eighteen months of that Administration Mr. Crawford was disabled, both physically and politically, from making the use of this Act which he had intended. I have proceeded upon the principle established by Mr. Monroe, and have renominated every officer, friend or foe, against whom no specific charge of misconduct has been brought. The result of the Act has been to increase the power of patronage exercised by the President, and still more that of the Senate, and of every individual Senator.

8th. General Van Rensselaer called to make his acknowledgments for the appointment of John Duer as District Attorney for the southern district of New York.

Mr. Carroll is a retired master-commandant of the navy, who applies for the appointment of Superintendent of the Public Buildings, an office not yet extant, but for the establishment of which there is a bill before Congress. Mr. Carroll brought certificates of good conduct, the medal given to him as one of the officers under Commodore Preble in the attack upon Tripoli in 1804, and a copy of the thanks of Congress given to Commodore Patterson, his officers and men, for their services in the defence of New Orleans in 1815. He some time afterwards retired from the navy, on account of infirmity from wounds received.

Mr. Everhart is a still more aged warrior. He resides at Frederick, Maryland, and brought a letter of introduction from Mr. Henry R. Warfield, heretofore a member of Congress. He

had also certificates from Colonel William Washington, of South Carolina, and of Colonel Simons, dated in November, 1804, and attesting his signal good conduct at the battle of the Cowpens in 1781. He brought with him a subscription paper for rebuilding a Methodist church at Frederick, for which he was soliciting contributions.

Mr. Southard came for the papers relating to the pretension of Colonel Henderson, Commandant of the Marine Corps, to remove Captain Kuhn as its paymaster and appoint another in his place. His wish to do this proceeds from personal misunderstandings between them. Kuhn is an active, intelligent, and punctual paymaster; and I am unwilling to see him removed to gratify merely the private pique of his commanding officer. The laws, and the practice under them, have left it doubtful as to the right of the commandant to appoint the paymaster; but there is no power given him to remove him. Henderson infers this from the power of appointing; but I am not disposed to allow the inference. I desired Mr. Southard to put the papers in the hands of the Attorney-General, and ask his opinion, first, whether the power of appointing, and, secondly, whether that of removal, is in the commander of the corps.

Mr. Southard informed me of the decease this morning of Thomas T. Tucker, the Treasurer of the United States, and named to me two persons, either of whom would willingly accept the office.

Governor Barbour had some conversation with me on the attempt of the Cherokee tribe of Indians to establish a constitution of government for themselves, and on the remonstrances of the Government of Georgia against it. He referred to a report of Colonel McKenney, of 29th November last, to him, recommending that notice should be given them as early as possible that this cannot be permitted. The Governor mentioned also a candidate for the appointment of Treasurer, and he left with me a written report of T. L. McKenney upon certain charges exhibited last year by some of the chiefs of the Creek nation against the Agent, John Crowell. McKenney was authorized to investigate and report upon those charges.

His report is entirely favorable to Crowell, and imputes all the charges to John Ridge, the Cherokee.

Mr. Rush brought me some papers from Alabama—a message from the Governor (Murphy) to the Legislature of the State, and a remonstrance from the Legislature addressed to Congress against an instruction from the Treasury Department to the Receivers of public moneys at the Land Offices, dated last August, directing them to receive in payment for lands only specie, bills of the Bank of the United States or its branches, or bills of specie-paying banks of the State. The remonstrance of the Legislature is in language little short of frantic—a blustering, bullying style, which many of the State Governors and Governments adopt towards the General Administration, as if they considered insolence as their only means of demonstrating their sovereignty.

Mr. Rush proposed some modification of the instructions, to remove any possible inconvenience to the purchasers. He is himself of a temper so mild and a deportment so courteous that the bitter invective, slanderous imputations, and reproachful malignity of this Alabama manifesto were quite distressing to him. I showed him a letter from a man in prison at New York, for some debt to the United States, addressed to me, which I had just received, written in much the same insulting style, and I told him I prized them both at about the same value.

9th. George Watkins brought from the Department of State a draft of a letter from Mr. Clay to Mr. Gallatin, proposing to employ him in the collection and preparation of materials, documents to be laid before the arbitrator sovereign, upon the Northeastern Boundary question between us and Great Britain—which I approved.

Mr. Thomas, Senator from Illinois, spoke of the recent Legislative caucus at Albany, at which a hundred members attended and unanimously nominated General Jackson for President of the United States at the next election. They made no nomination of Vice-President—which, Thomas says, has very much affected the temper and spirits of Mr. Calhoun. The Legislative caucuses of Pennsylvania and Virginia did nominate Calhoun for Vice-President; but without New York it is certain

he cannot be elected, and he suspects that Van Buren, the political manager of New York, is secretly playing a deep game against him and for himself—which he doubtless is.

Mr. White said he had received two letters from T. M. Randolph on the subject of the boundary question between Florida and Georgia, extracts from which, together with some other documents, he had presented to the House of Representatives, and they were printed. He thought the House would not, at least this session, sanction the pretensions of Georgia. He was somewhat apprehensive of the Senate.

Mr. Clay was here, and proposed sending Joseph Blunt's brother as a messenger to England with the three ratified Conventions—which I approved. He spoke of the sovereign to be proposed as the arbitrator. The Emperor of Russia and the Kings of France and of the Netherlands were mentioned, but without coming to a decision. Mr. Clay mentioned also the mode of making the application to the arbitrator, for which I referred him to the precedents in the former references to the Emperor Alexander. Mr. Barrell has returned from his mission to New Brunswick. He is preparing his report, which will present an unfavorable view of the complaints on our part; so much so that Governor Enoch Lincoln urged Mr. Barrell to suppress the facts of the case. Barrell says there is a letter from Mr. Bagot to the Governor of New Brunswick detailing a conversation with me, in which, upon some complaint of his that our people were making unlawful settlements on the disputed lands, I had said they were squatters, and the Provincial Government might deal with them as they pleased; that this letter has been divulged, and is now used to excite political odium against me, as manifesting indifference to the interests of the people of Maine. Another of the thousand shapes of slander.

12th. Mr. Foote, a Senator from Connecticut, called to recommend the appointment of a Consul at the Swedish island of St. Bartholomew's. He said that by the operation of our new treaty with Sweden, together with that of a late treaty between Great Britain and Sweden, our trade would be placed on a more advantageous footing with the British Colonies than it had

ever been before. He said he was perfectly well acquainted with that trade, having been engaged in it himself, and having carried more than one cargo to the islands. As an example of the oppressive effect of the British laws upon their own islands, he said he had once taken a cargo to one of them part of which consisted of candles, then a prohibited article. He declared them in his manifest, not expecting they would be admitted; but the Collector, on looking over the paper, said, "These are not candles: they are herrings"—and then with his own hand struck out the word candles, inserted herrings, and admitted them with the rest of the cargo.

I told Mr. Foote there was a Consul appointed to the island of St. Bartholomew's at the last session of Congress; he had, however, been since employed on a special agency to visit the principal British islands and report what the operation upon them of the present interdictions of trade had been. I knew not whether he was still detained upon this service, but if he was, and could not go to St. Bartholomew's, I would readily renominate the person recommended by him. I advised him to see Mr. Clay and ascertain the fact.

Foote spoke also of a debate which arose yesterday in the Senate upon a proposition for amending their rules, in which he had taken a part; and he observed that there was much complaint in the State of Connecticut that for many years there had not been made a single appointment from that State.

Mr. McDonald brought a resolution of the Senate calling for copies of the instructions to A. Ellicott, and of the report of him and the Spanish Commissioner on the Georgia and Florida boundary.

13th. General Van Rensselaer called early this morning and introduced Mr. Sinclair, a Presbyterian clergyman, a native of Ireland, who has resided several years in this country, and has been the principal of a school or academy, from which he has now retired. He was formerly minister of a Presbyterian meeting-house at Antrim, of which the Marquis of Londonderry, Lord Castlereagh's father, was an elder. But he observed, somewhat archly, that the Presbyterians of Antrim were all

Unitarians. He gave me a charity sermon, preached by him at the Maryland Institute about a year since.

Mr. Clay brought and left with me a pamphlet, being a report of a joint select committee of the Legislature of Maine upon their northeastern boundary. He spoke further of the arbitrator to be agreed upon with the British Government at the exchange of the ratifications of the Convention. The Emperor of Russia appears to be still the least exceptionable. I thought there would be an objection against the King of France from the circumstance that while Canada and Acadia belonged to that nation they were in controversy with Great Britain upon this identical boundary. France then took the ground of argument now maintained by Great Britain, and Great Britain that now supported by us. I should fear that a French umpire would be apt to pay extraordinary deference to ancient French authorities. The King of the Netherlands was mentioned, the King of Prussia, the King of Denmark, and some others, but without coming to any final decision.

14th. Sent message No. 20 to the Senate, with a report from the Secretary of State, and copies of the instructions to Andrew Ellicott, Commissioner for running the boundary line between the United States and Spain under the Treaty of 1795, and of a letter from him to the Secretary of State. The report of the Commissioners was also called for by the resolution of the Senate, but is not found on the files of the Department.

Signed a permission of a conveyance from Me-naw-chee, an Indian woman, and her husband, Charles Peltier, to John B. Williams, of a treaty reservation of land in her favor. Mr. Graham brought a proclamation for the sale of lands, the second Monday in June, at the Washita Land Office, which I signed. He spoke of the complaints against the Registrar and Receiver of the Land Office at Sparta, Alabama, of which I have a voluminous report, with documents yet unexamined; also of the appointment of a Surveyor-General of Lands south of Tennessee, in the place of George Davis, whose term is expiring, and against the re-appointment of whom there is a remonstrance from the delegations of Louisiana and Alabama.

Mr. Wright, member from Ohio, called to make enquiries

of certain facts relating to my public conduct, which has been made a subject of discussion in the recent debates in the House of Representatives. First, of my votes in the Senate upon the acquisition of Louisiana. Secondly, upon the Mississippi and Fishery question at Ghent. Thirdly, on an expression in my message to Congress of December, 1825, importing that in the recess of the Senate the mission to Panama might have been instituted by the President alone. These are some of the multitudes of charges upon which falsehood and misrepresentation have been, and continue to be, swelling their peal against me, in pamphlets, newspapers, handbills, stump-speeches, and dramshop dialogues, throughout the Union, and which, in the face of fifty refutations, the skunks of party slander, Ingham, Wickliffe, Hamilton, Randolph, Floyd, Smyth, and Carson, have been for the last fortnight squirting round the House of Representatives, thence to issue and perfume the atmosphere of the Union. Wright is one of the members who defended the Administration generally, and me in particular. His speech is now to be printed, and he came to enquire as to some of the facts upon which I have been so basely belied, with a view to refer to them in notes to be appended to his speech. I read to him my own speech in Senate, made on the 3d of November, 1803, and reported in the National Intelligencer of the of the same month, and mentioned to him the principles upon which I had voted on the bills relating to Louisiana during that session of Congress. I also referred him to facts and evidence upon the two other points, though not so fully as I could have wished, for we were interrupted by the visit of Governor Preston and Lewis Williams, and Wright was obliged to go and attend at the House.

I had also a visit from Mr. Raymond, of Baltimore, and from Colonel Wallace, a son of Dr. Wallace, with Governor Barbour. I had desired a Cabinet meeting at one o'clock to-morrow upon the Cherokee Constitution, and the letter from the Governor of Georgia concerning it; but Governor Barbour said he was to have at that hour a wedding at his house: one of the daughters of his brother Philip is to be married to a Mr. Ambler, a relation of the Chief Justice, Marshall, who is to be present. I con-

sented, therefore, to postpone the Cabinet meeting till Saturday, of which Governor Barbour engaged to give notice to the other members of the Administration.

Mr. Rush was here, and read me five resolutions of the Retrenchment Committee, sent to him by their Chairman, Hamilton—four of them requiring statements of the contingent expenditures of the Government at the four Departments, and the fifth requiring the opinion of the Secretary of the Treasury whether the number of officers in the Department may without inconvenience to the public service be reduced. Mr. Rush said that of the statements of expenditures no small portion of payments made in 1825 and 1826 are from appropriations in 1823 and 1824. With respect to the officers of the Departments, he should refer the resolution to the several Auditors and Comptrollers; and he should answer concerning the clerks, that, instead of less than he had, more were indispensable; for to manage a revenue of twenty-six millions a year he had eight clerks, while Mr. Gallatin, for a revenue of from ten to fourteen millions, had always had nine. It was therefore impossible to prevent the business from falling into arrears. But, from the manner in which this committee is composed, truth and justice are the last things to be expected from their report.

15th. I sent to the Department of State for a list of appointments made during the recess of Congress, sent to the Senate on the 9th of April, 1814, with a report from the Secretary of State, in answer to a call from that body of the 2d of the same month. Mr. Brent came over from the Department with a list of recess appointments made in 1813, for which he supposed I had sent. He afterwards sent word that there was no copy of the report and list alluded to at the Department; but my son John found one among the printed documents of that session at the office of the Secretary of the Senate. He furnished it to Mr. Wright, with the draft of unfinished remarks on this subject of recess appointments, which I had written in 1826.

Mr. Chambers, the Senator from Maryland, called with a Mr. Scott, of Baltimore. Chambers spoke of the debate of the last three or four days in the Senate, which has terminated in the

failure of an attempt by Vice-President Calhoun to obtain the sanction of the Senate to a principle which he assumed for his justification in permitting John Randolph, in the winter of 1826, two years since, day after day, in speeches of ten hours long, to drink himself drunk with bottled porter, and, in raving balderdash of the meridian of Wapping, to revile the absent and the present, the living and the dead. This was tolerated by Calhoun because Randolph's ribaldry was all pointed against the Administration, especially against Mr. Clay and me, and because he was afraid of Randolph. It continued until the public indignation, sparing Randolph on the score of insanity, ascribed the degradation of the Senate which ensued to the dereliction of his duties by the presiding officer of the Senate. Calhoun then bethought himself of the pretence that the President of the Senate had no power to call a member to order, because no such power was given him by the rules of that body. A presiding officer without power to call a member to order was so preposterous an absurdity, that after some time Calhoun narrowed down his denegation of his own authority to the call to order for words spoken in debate, resting it upon the plausible pretence of preserving inviolate the freedom of debate. The discrimination itself surrendered the principle, for there was no rule of the Senate giving the President the power to keep order in any particular, and it is palpable that if a grant of power was necessary to enable him to keep order for one purpose, it was equally necessary for all. Randolph's course was so outrageous that the Legislature of Virginia, at the expiration of his time, elected John Tyler in his place, and he was elected for the present Congress to the House of Representatives. At this time the opposition party, having a majority in the Senate, and wishing to hold up Calhoun again for the Vice-Presidency, have been trying various means to get a vote of the Senate sanctioning his ex-abdication of his duty. The course pursued for that object has been winding and insidious, and was ultimately disconcerted by an amendment to one of the rules proposed by Mr. Foote, recognizing the right of the President in common with every Senator to call to order, but giving in the case of a decision by the Pres-

ident an appeal to the Senate. Mr. Calhoun receives this as a grant of power from the Senate, and expresses his satisfaction at its limitation by the appeal to the Senate. Chambers himself made an excellent speech in this debate.

Mr. Greenough brought me a letter of introduction from Josiah Quincy, the Mayor of Boston. He is a young sculptor from Boston, and asked permission to take my bust; to which I assented. He has a room at Mr. King's, where he will give me notice when he is prepared and wishes for my attendance.

16th. I sent for Mr. Lee, the Second Auditor of the Treasury, and spoke with him of the question upon the settlement of the accounts of Simeon Knight, heretofore a paymaster in the army. He claims pay till January, 1822, four years from the date of his commission, upon the ground that he was not dismissed from his office; but Mr. Lee says he believes he was, and that another was appointed in his place. I told Mr. Lee that in that event the allowance of his pay could not be made. It appears that the practice has constantly been of leaving the dismission of officers by the President of the United States without record signed by him. The order has been verbally given, and notified to the individual dismissed by letter from the head of the Department under which he served; sometimes, as in the case of Satterlee Clark, only from a subaltern, and, if Lee's belief is correct, in this case of Simeon Knight not at all. The only evidence of his dismission will be the appointment of another paymaster, without even saying "in his place." Mr. Lee brought with him and showed me a statement made at his office to be exhibited to the Retrenchment Committee, showing the multiplicity of business with which it has been and is charged. All the offices are equally occupied.

This day at one o'clock had been appointed for the Cabinet meeting upon the letter from the Governor of Georgia with the Cherokee Constitution. But the House of Representatives adjourned over from yesterday till next Monday, to allow the use of the hall this day for the exhibition of the deaf and dumb teachers and pupils. I learnt the fact this morning from Mr. John Taliaferro, whom I fell in with on my walk, accom-

panying his brother to Brown's Hotel, whence he was going to take passage in the steamboat for Virginia. I met also in this walk Mr. Barney and Mr. Dorsey, members of the House from Maryland. I shortened this walk, and at noon walked to the Capitol, leaving directions at home that if the members of the Administration should come at one, to ask them to wait a short time for my return from the Capitol, and ordered my carriage to be there for me at one. I found at the Capitol Mr. Weld delivering in the House of Representatives an address recommendatory of the institutions for the instruction of the deaf and dumb, which he soon closed, and then began the performances of his three pupils. Their language of gesticulation is twofold: one consists of spelling words, each letter of the alphabet being marked by the sign of a distinct collocation of the fingers; the other is by motion of the arms and hands, and of the whole body, and by significant expressions of the countenance; it is altogether pantomimic. By spelling the letters they read and write, and thus they identify words. But it is through the pantomime only that they understand the meaning of their discourse, and two of them in writing a sentence occasionally used different words. Their writing is, in this respect, a translation of the discourse delivered by gesticulation, and different translators use different words to convey the same thought. Besides the examination which they underwent from their teacher, Mr. Weld, and from Mr. Gallaudet, principal of the original institution at Hartford, Connecticut, several of the spectators, at the request of Mr. Weld, joined in the examination and put questions to the pupils, which they answered with as much acuteness and propriety as could be expected from youths of their age possessed of all their senses. But, as the questions put by the spectators were upon objects not within the ordinary routine of their studies, there was not quite the same promptitude or accuracy in their answers to them as when responding to their own instructors.

Vice-President Calhoun asked them what was the difference between power and right. They gave definitions, but without point. They did not suspect what was running in Mr. Calhoun's head when he put the question. They had not read

the debate on the rules of the Senate, and did not know that right was a President of a deliberative assembly without power to call to order for words spoken in debate. Mr. Speaker Stevenson asked them who had given the world the greatest example of true glory. Only one of them attempted to answer this question, and he was sadly perplexed. He first answered, God, by giving the gospel. He was told the question referred to human beings; he then wrote, Moses. Finding this did not yet answer, he successively wrote, perhaps Bonaparte, perhaps Washington. This name without the perhaps was that which I suppose the Speaker had intended to elicit. Mr. Weld, to illustrate the method of teaching them abstract words and ideas, wrote the word irrefragable, the use of which, he said, was unknown to them, and which, upon his enquiring of them, they signified that they did not understand. He taught them the meaning of it, so that they wrote sentences in which the word was properly introduced. I asked Mr. Gallaudet if he could make them understand the difference between irrefragable and incontrovertible. He said he could not immediately discern the distinction between them himself. I said irrefragable was that which could not be refuted; incontrovertible was that which could not even be contested. He then taught them the difference between the words, of which they wrote distinct definitions. I desired the question to be put to them if they knew the figure over the clock in the hall; but they did not. Afterwards I enquired if they could tell the name of the Muse of History. One of them said he had forgotten it; but the question still did not suggest to him that it was the figure over the clock. I asked Mr. Weld if he could make them write the line,

"Hark! a glad voice the lonely desert cheers."

He told me the only word in the line he should spell to them by letters on the fingers was lonely. The eldest pupil wrote the line, Hark! a glad voice the lonely desolation cheers. The youngest boy wrote it, Hark! a glad voice *a* lonely desert cheers. One of them was asked to write the names of several distinguished men of ancient and modern times, and of the four quarters of the globe; which he did. The spectators were

requested to name any one of them for a brief biography. I named Plato; and the pupil immediately wrote down a short account of his life, death, and writings. One of them wrote down an abstract of a conversation he had yesterday had with Mr. Gallaudet on the subject of Rousseau of Geneva. The boy, at the request of a lady, told a story of a clergyman mocked and mimicked, while preaching, by his monkey perched on the canopy over his head, to the inextinguishable laughter of his auditory. There was a boy from Alexandria, about fifteen, entirely untaught, with whom Mr. Weld held some conversation, mutually intelligible between him and the boy. He says there is a great resemblance between the gestures of all the uninstructed deaf and dumb. He says also that throughout the country the proportion of deaf and dumb to the whole population is about one to two thousand persons—about six thousand in the United States.

This exercise lasted about three hours, and when I came home I found Mr. Clay, Governor Barbour, and Mr. Southard had been here and were gone—Governor Barbour after waiting some time. Mr. Wirt came afterwards, and I had a very long conversation with him about the Cherokee Constitution and the Indian titles to lands. He seems not to have considered thoroughly the nature of the Indian title, and to suppose that it is a permanent possession of the soil, like that of the white people.

17th. Heard at the Capitol Mr. Gallaudet from Romans xv. 21: "But as it is written, To whom he was not spoken of, they shall see: and they that have not heard shall understand." It is a part of the chapter in which St. Paul declares himself peculiarly the apostle of the Gentiles; and Mr. Gallaudet, in the application of his discourse, considered the deaf and dumb as Gentiles of our own age and country. The sermon, written in unambitious style, was fervent in manner and cogent in reasoning. The forlorn and pitiable condition of the deaf and dumb without instruction, and the world of thought, of knowledge, and of enjoyment created for them by teaching, were contrasted without elaborate study for effect, but by reference to his own experience in the progress of educating them. He

dwelt especially, and with power, upon the blessing imparted to them in the ideas of a Supreme Creator, of their own immortality, and of the hopes and promises of the gospel. The hall was well filled, but not crowded, and the sermon was listened to with deep attention. Mr. Gallaudet is the first founder of the schools for deaf and dumb in this country, and may, without imputation of arrogance, compare his own condition and services to his fellow-mortals with those of the apostle of the Gentiles.

Returning home from the Capitol, I met Mr. Edwards, of the Treasury Department, who stopped and asked me if I had heard the news. I said, "None." He informed me that the Northern mail had brought the account of the sudden death of De Witt Clinton, Governor of New York. Mr. Sergeant soon afterwards called upon me, and sat with me in conversation about an hour. This was one of the distinguished and ambitious statesmen of this Union. He was one of the first post-Revolutionary great men of the age, but his mind was of secondary size, deluded by success and flattery into the self-conceit that he was of the first magnitude. He came forward at a very early age, with a brilliant reputation, sustained by all the weight and influence of his uncle, George Clinton, then transcendent in New York; was of the council of appointment that broke down and drove into retirement John Jay, and in 1802 was elected to the Senate of the United States. He there sat only one session, and in October, 1803, resigned his office for that of Mayor of the city of New York, then extremely lucrative, but as far beneath that of a Senator of the United States in dignity as surpassing it in profit. This step of political bathos marked in characters indelible the measure of De Witt Clinton's mind. From the Senator of a sovereign State in the most select council of the Union he shrunk into the police-officer of a single city, and busied his mind with the regulation of go-carts and the punishment of shop-lifters. He never afterwards got beyond the bounds of the State of New York as a public man, though in 1812 he made a desperate plunge at the Presidency of the United States, purchasing the support of the federal party by a sudden and even indecent desertion

of his own—more literally, purchasing influence in various parts of the Union by hired agents, venal presses, and even stipended itinerant preachers, to the utter ruin, it is said, of his private fortune. "Alieni appetens, sui profusus." He thus became a formidable competitor, and received eighty-nine electoral votes, Mr. Madison receiving a hundred and twenty-eight. Mr. Clinton has since gone through at least four vicissitudes of political fortune in his own State, and was now reduced to the last stake of declaring himself a partisan of General Jackson, to rivalize with Mr. Calhoun for the Vice-Presidency. The New York Legislative caucus, therefore, in nominating Jackson forbore to make any nomination of Vice-President, and Clinton was feeding his hopes of the China-Jordan, when arrested by the tamer of all ambition and consigned to the sepulchre and the worm. I hear in his fate the voice of the same teacher, "Be ye also ready. Lord, teach us so to number our days that we may apply our hearts unto wisdom."

18th. Mr. Knight called again for my decision upon his case. I told him that Mr. Lee was under the impression that another paymaster had been appointed in his place in 1821, and, if it was so, I could authorize no allowance of pay to him after the appointment of the other. He was much dissatisfied, and asked for his papers; which I could not find, but asked him to call again.

Dr. Watkins and Mr. Cox came, and invited me to the ball at Carusi's rooms on Washington's birthday, next Friday.

Mr. Clay was here, complaining of the state of his health, which, he says, is so bad that nothing except the existing state of things could induce him to continue longer in the public service. He thinks his health is gradually sinking, and his spirits are obviously giving way under the load of obloquy, slander, and persecution which has been heaped upon him, as well as upon me. He took the draft of a dispatch which he had prepared to send to William Beach Lawrence, Chargé d'Affaires at London, with the three Conventions concluded by Mr. Gallatin, which have been advised for ratification by the Senate here, and are still to be ratified in England. I suggested one alteration in the dispatch, and we spoke of the sovereigns

to be proposed, or agreed to, for the arbitration of the question upon our Northeastern boundary. The Emperor of Russia is to be first proposed, and in the event of his rejection I incline to the King of the Netherlands, or the King of Denmark. But the determination was deferred.

I asked Mr. Clay to give notice to the other members of the Administration to meet here at one to-morrow, upon the letter from the Governor of Georgia with the Cherokee Constitution. He mentioned also the proceedings in the Legislature of the State of Maine upon the questions relating to the Northeastern boundary: the report of the Agent from the State, Daveis; the report of the committee of the Legislature of Maine, and the resolutions of the Legislature—all of an inflammatory character. From the report and documents of Mr. Barrell, which are of a different character, we concluded that there was still ground for remonstrance to the British Government for acts of jurisdiction exercised by the province of New Brunswick pending the controversy; and, I thought, ground for demanding the surrender of Baker, who was arrested last summer upon the contested territory, and is imprisoned at Fredericton. Mr. Clay said he would prepare a note to that effect; and I propose then to communicate all the documents to Congress, with an intimation of the hope that by the execution of the Convention recently ratified the contest may yet be adjusted in a peaceable and amicable manner.

Mr. Clay mentioned also a very extraordinary investigation in the Senate of the State of Kentucky, where they have undertaken to send for persons and papers to try the question of imputed bargain and corruption between him and me—a self-constituted Court of Inquisition—all at the instigation of a man named Kendall, editor of a newspaper from which Mr. Clay took the printing of the laws, and who heretofore, as a partisan of Mr. Clay, to whom he was under deep obligations, had been author of a furiously abusive pamphlet against me.

19th. Dr. Parker, of Rhode Island, had left here yesterday letters of introduction from John Varnum, a member of the House of Representatives from Massachusetts. He came to

recommend a person for the appointment of Consul at Port au Prince, upon which I referred him to the Secretary of State, informing him that the appointment, if made, must be of an informal Commercial Agency, and with a probable prospect of not being recognized; as they had refused to act upon representations from our last Commercial Agent there, Andrew Armstrong, on the ground that we declined to recognize the Haytien Government as sovereign and independent.

Mr. Lawrence, member of the House from Pennsylvania, came to recommend the appointment of the late Treasurer of Pennsylvania, Clark, to the office of Treasurer of the United States, in the event of the decease of Dr. Tucker. This Mr. Clark has been recently deprived of the office of Treasurer of Pennsylvania, expressly because he refused to pledge himself explicitly in favor of General Jackson for the Presidency of the United States. Lawrence said that this proceeding of the Legislature was very unpopular throughout the State; that Clark was a worthy man, very competent to all the duties of the office, and universally acceptable in the discharge of them. He had a large family, and the loss of the place was a severe injury to him. His appointment as Treasurer of the United States would be gratifying to all the friends of the Administration, and he would have no difficulty in obtaining bondsmen to the amount required by the law.

I advised Mr. Lawrence to see and converse with Mr. Rush on the subject.

Mr. Tracy, member of the House from New York, came for my decision upon a memorial from one of his constituents, a Collector of the direct tax in 1815, who requests an increase of his compensation for the services performed by him. The Direct Tax Act gave an authority to the President to that effect. But the Act itself has been many years repealed, and there is no remnant of the appropriations made for carrying it into effect. I told Mr. Tracy there was no fund from which the money could be paid, even if I should make the allowance.

Mr. Marks, Senator from Pennsylvania, came to enquire if I had received certain resolutions of the Pennsylvania Legislature relating to the repair of the Cumberland Road. I said

I had, with a letter from Governor Schulze, and I propose to communicate both in a few days to Congress.

Mr. Brent was here, and brought me a list of the recess appointments communicated to the Senate in the message of President Madison of 9th April, 1814.

Cabinet meeting at one. I first proposed the question, whether the letter of the Governor and the resolutions of the Legislature of Pennsylvania should be communicated to Congress; and, if so, whether with any remark upon the purport of the resolutions, or any recommendation of the object of the resolutions—the repair of the Cumberland Road.

There was little discussion, and seemingly some reluctance at giving opinions. All thought the letter and resolutions should be communicated, but without any expression of opinion upon the effect of the resolution to authorize Congress to erect toll-gates upon that part of the road which lies in Pennsylvania. Mr. Clay thought there should be in the message a recommendation of a provision by law for the permanent repair and preservation of the road.

The second object for deliberation was the letter from the Governor of Georgia with the Cherokee Constitution. And there was so much reluctance to the expression of any definite opinion that, after a discussion of two hours, I was unable to form any distinct conclusion, and adjourned the meeting till one o'clock next Friday.

The predominating sentiment was to refer the whole subject to Congress without expressing any opinion upon the constitutional question, and that the answer to the Governor of Georgia should merely inform him of this reference. But this will not relieve us from the decision of the question. We must fairly meet it; nor will there be any advantage gained by delay. No one member of the Administration thought the article of the Constitution appealed to by the Governor of Georgia applicable to the case, but none seemed willing to avow the opinion that it was not so. Mr. Rush remained, and read me the drafts of his answers to the Retrenchment Committee.

20th. Mr. Clay was here to take the final directions concerning the friendly sovereign to be proposed as the arbitrator

between us and Great Britain upon our Northeastern Boundary question.

I mentioned the Emperor of Russia, the King of the Netherlands, and the King of Denmark.

Mr. Clay told me he had a letter from Governor Kent, of Maryland, upon the subject of the appointment of Treasurer of the United States. He did not wish his name mentioned unless there was a prospect of success. But he would accept the office if it should be offered. I mentioned several of the persons who have the strongest claims, and, between whom I shall find it most painful to make a selection. He appeared strongly to incline in favor of Mr. Clark, the late Treasurer of Pennsylvania.

This evening was the sixth drawing-room. Very much crowded; sixteen Senators, perhaps sixty members of the House of Representatives, and multitudes of strangers—among whom were the Institutors of Deaf and Dumb, from Philadelphia, New York, and Hartford. The heat was oppressive, and these parties are becoming more and more insupportable to me.

I wrote this day a short message to both Houses of Congress, and one to the Senate; but they were not sent. I wrote about an hour after dinner, before the drawing-room commenced, and nearly another hour after it was over. These are among the most difficult returns to labor that I am ever enabled to accomplish, but they are indispensable substitutes for the morning hours I am losing. Within the last week I have risen almost every day after the dawn, and two or three times in broad daylight.

21st. Mr. Slade, from the Department of State, came with the ratifications of the three Conventions concluded by Mr. Gallatin with Great Britain: 1. The Commercial Convention of 6th August, 1827; 2. The Northwestern Boundary Convention, also of 6th August, 1827; and, 3. The Northeastern Boundary Convention of 29th November, 1827; which I signed. They are to be sent to England by a young Mr. Blunt as a special messenger.

Mr. Dickins, Secretary to the Columbian Institute, brought me, to examine, designs for a seal and diploma for that society,

well drawn, and which, suggesting some alterations, I approved. They have not adopted the device I had proposed for a seal, but propose in its stead a hissing rattlesnake coiled round a book, to which I objected as odious imagery; and instead of the classical motto from Horace, "Lucent Sidera Nautis," with the ship, they have discarded the ship, and substituted, for the motto, "Favent Astra;" which I disapproved, as an idea borrowed from the false science of judicial astrology, and therefore inappropriate to an institution for the promotion of true science.

On this, as on the former occasion of the pediment to the Capitol, I observe the extreme diversities in the sentiments of learned and ingenious men upon matters of taste and invention. My device for the seal and motto were in my own self-conceit ingenious, classical, elegant, and appropriate, but no one thought them so except myself, and they have taken in its stead a serpent sibilant, which would be an excellent emblem for the House of Representatives at this time, but is, in my judgment, a very absurd one for a learned and literary institute; and instead of the stars of Horace, illuminating the mariner's night, they have the stars of judicial astrology, favoring the deadly venom of the rattlesnake.

Mr. Dickins also gave me some seeds of two or three plants which he has received since the circular of the Institute was sent out—a variety of the lettuce from Alabama, and the turpentine weed.

Mr. Bateman, the Senator, and Mr. Forward, of the House of Representatives, of the Committee of Enrolled Bills, brought me two short bills, which I signed.

22d. Cabinet meeting at one. All present excepting Mr. Rush, who sent by Mr. Southard an apology, being confined to his house by indisposition. The question was again upon the letter from the Governor of Georgia denouncing the Constitution lately adopted by the Cherokee Indians as a violation of the article of the Constitution of the United States which interdicts the formation of new States within the old ones.

It was the opinion of every one present that this article of the Constitution applied only to those who were parties to the compact; that it did not bear upon the Indians at all. But Mr.

Clay urged that it was not necessary to take this ground either in answering the Governor of Georgia or in the message to Congress. Even if it would be proper for this Government to prevent by force the establishment of the Cherokee Constitution, it would require the express authority of Congress to enable the Executive to act.

After further discussion, I came to the conclusion to proceed as follows: I requested the Secretary of War, Governor Barbour, to instruct the Agent of the United States with the Cherokee Indians to give them notice that we had been informed of the Constitution which they had made for their own Government; that they must understand that this cannot in any manner alter the state of their relations with the United States; and that if their intention was that it should, we protested against the whole proceeding. This will be a sufficient foundation for answering the Governor of Georgia, and also for a communication to Congress of his letters and of the resolutions of the Legislature of the State.

Mr. Wilde, one of the members of the House of Representatives from Georgia, has offered a resolution to the House calling for information from the President whether anything, and, if anything, what, has been done to preserve from violation the same article of the Constitution of the United States to which Governor Forsyth appeals. The resolution was this day considered, and, debate upon it having arisen, it was laid upon the table.

About four this afternoon the officers of one of the militia companies which turned out and paraded this day sent to enquire if I would receive their salute—to which I assented, and accordingly stood at the steps in front of the house while they fired the round and marched through the yard. Five persons then, entire strangers to me, followed me into the house; two of them said they came from Virginia and had a curiosity to see me.

We had company to dine. At the dessert, I observed to Chief-Justice Marshall and the company that it was not customary at this house to drink toasts; that since I had been here there had been to this rule only one exception—it was

on the 6th of September, 1825, the last day that General La Fayette passed in the United States, and it was his birthday. We had then drunk one toast—which was, "The 6th of September and the 22d of February." I now proposed again the same toast, only with inverted order, and we drank in champagne, "The 22d of February and the 6th of September."

I attended in the evening the ball at Carusi's Hall with Mrs. Adams. The company was small; a sideboard supper; and we came home shortly after ten o'clock. I met at the ball, besides other strangers, Mr. Reynolds, the projector of an expedition to the South Pole, and Mr. Lieber, the teacher of the swimming-school at Boston.

23d. I was visited after breakfast by a Mr. Rich, who told me he came from Connecticut. His son and a Mr. Gardner were with him. Of these idle visitors, total strangers, the number is increasing, and has now become of almost daily annoyance. Mr. Rush was here, with letters from W. Astor, President of the American Fur Company, urging the re-establishment of a revenue cutter on Lake Superior. There has been one there heretofore, but of late none. Mr. Astor complains of smuggling carried on with Canada, which, after having been suppressed by the former cutter, is again reviving by the disuse of such a guard. A letter from Mr. Stuart, the Collector at Michillimackinac, but now here, countenances the application of Mr. Astor. I thought the request should be complied with. Mr. Rush also showed me a confidential private letter to him from Robert Mitchell, Collector at Pensacola, mentioning that a friend of his there had spent some weeks last summer in South Carolina, and had frequently seen Mr. Calhoun, with whom he had been formerly intimate as a school-mate; that he was in the habit of speaking in the most disrespectful and unbecoming manner of the whole Administration; said that all the Departments were in a state of the greatest disorder, and that if *he* was at the head of the Treasury Department he would effect the same reform in its organization as he had done in the Department of War. The truth is, that of the reforms in the War Department made while he was at its head, the most important was the reduction of the army from

ten thousand to six thousand men, utterly against his will, against all the influence that he could exercise, and to his entire disapprobation; and all the other changes of organization were upon plans furnished by Generals Brown and Scott, and carried through Congress chiefly by the agency of John Williams, of Tennessee. Mr. Calhoun had no more share of mind in them than I have in the Acts of Congress to which I affix my signature of approbation. Calhoun is a man of considerable talent and burning ambition; stimulated to frenzy by success, flattery, and premature advancement; governed by no steady principle, but sagacious to seize upon every prevailing popular breeze to swell his own sails; showering favors with lavish hand to make partisans, without discernment in the choice of his instruments, and the dupe and tool of every knave cunning enough to drop the oil of fools in his ear.

24th. Immediately after my return from church, Lieutenant Vinton, one of the aids of General Brown, called, and informed me that the General died this day about noon. The immediate cause of his death was a lung fever, taken this day week, but its primary cause was the severe wound that he had received during the late war with Great Britain, and paralytic shocks, which some years afterwards disclosed the extent of its malignity. His health has been declining for several years, and, although long sustained by a firm and buoyant spirit, has been sinking irredeemably the last three months. On the 14th of last month he came and disclosed to me, in a manner which deeply affected me, his own state of mind and body, of which he was fully conscious. I think I have not since seen him. Lieutenant Vinton said that his last thoughts were of the public—recollections of his own services and sufferings, and anticipations of the future greatness and glory of his country. He added that among the latest words that he spoke were expressions of regard for me, and of sensibility to the kindness I had always shown him. General Brown was one of the eminent men of this age and nation. Though bred a Quaker, he was a man of lofty and martial spirit, and in the late war contributed perhaps more than any other man to redeem and establish the military character of his country. He had a high

sense of honor, a courteous and unassuming deportment, and conduct irreproachable in private life. He has been Commander-in-Chief of the army from the time of its reduction in 1821. The splendor of the defence of New Orleans has cast in the shade Brown's military fame, and his campaign on the Canadian frontier in 1814, far more severely contested than were the achievements of Jackson—less aided by good fortune and less favored by egregious errors of the enemy.

There was no service at St. John's Church this afternoon, and I did not attend elsewhere. My nephew's black boy was buried.

> "Pallida Mors æquo pulsat pede pauperum tabernas
> Regumque turres.
> Vitæ summa brevis spem nos vetat inchoare longam."

25th. Governor Barbour and Mr. Southard were here together. The Governor spoke of the honors to be paid General Brown at his funeral. The first process was to search for precedents; and the only precedent found was that of the decease of General Washington, who, like General Brown, was, at the time of his decease, Commander-in-Chief of the army; but his circumstances and situation were so peculiar that few of the measures then adopted could now be followed with propriety. The event was then announced by a special message from the President to Congress. I thought that would now be neither necessary nor proper. The event was also then announced by a general order in the name of the President to the army. I supposed it should now emanate from the Secretary of War.

Governor Barbour said that Colonel Jones, the Adjutant-General, had made the draft of an order, but the Governor thought it would be susceptible of improvement, and he asked me to make a sketch of such a paper; which I promised to do, but desired that Colonel Jones's draft might be sent to me, observing that I presumed much of it might be preserved.

The Governor afterwards brought a new letter of complaint from the Governor of Georgia, about another murder by Creek Indians.

Mr. Southard spoke of a Court of Enquiry to be convened

at Boston, upon the charges against Lieutenant Percival. He afterwards sent me the opinion of the Attorney-General, and the papers relating to the claim of Colonel Henderson to appoint the staff-officers of the Marine Corps.

26th. Governor Barbour left with me the draft of a general order announcing the death of General Brown, made by the Adjutant-General, Colonel Jones. I made another draft, embracing almost the whole of that of the Colonel, and adding about as much more.

Mr. Wickliffe, a member from Kentucky, introduced a Mr. McAllister of that State. Wickliffe is one of those worthy personages who, as a member of Congress, avails himself of the freedom of debate to revile and slander me before the nation, and then of his privilege as a member to introduce his friends to my personal acquaintance. This class of adversaries is not the most numerous, nor quite the most despicable.

I had also visits from General Wool, and from Mr. White, the delegate from Florida, who introduced a Mr. Webb of that Territory; also from General Gaines, who came to urge his claims to the appointment of Major-General, vacated by the death of General Brown. I had a long conversation with him, in which he set forth his claims with all the energy in his power. He appeared to consider the only question to be between him and General Scott, and he alleged that he was older as a man, and had been several years longer in the army; that he had always commanded Scott, except that he had once, at the close of the late war, been tried by a Court-martial of which Scott was President, and upon charges which he had reason to believe had been instigated by Scott. He complained also that Scott had availed himself of his power as compiler of the Army Regulations to introduce an article in support of his own pretensions.

I told General Gaines that I had heretofore examined the controversy respecting the question of rank between him and General Scott. It was a painful subject, and I had hoped to be spared the necessity of deciding it. I had deeply lamented the personal character given to the contest by them both, and the publication of their pamphlets; for he must permit me to

say that I had the highest respect for both, considered both as having rendered essential service to their country and equally deserving of honor from her. There had been two questions of rank between them: first, as Brigadier-Generals; secondly, as Major-Generals by brevet. In the last days of Mr. Monroe's Administration a respectable Board of Officers had been convened by him for the express purpose of deciding them. They had decided the first in his (Gaines's) favor. They had declined giving an opinion upon the second, the only reason for which was that they could not agree upon it, and the division among them was so equal that a decision by them such as they could give would have been of no use as advice to the President. General Brown was the President of that Board. Mr. Monroe was a military man. When they declined pronouncing upon the question, it was obviously one which I must be very reluctant in approaching.

He said that almost every member of that Board was a brevetted officer—therefore interested in the question; and that it was a maxim of universal law that no man should sit in judgment in his own cause—so that British lawyers had held that the Parliament itself could not grant such an authority. But the degree of interest which disqualifies is always itself a matter of question; a brevetted and a non-brevetted officer are equally, though adversely, interested in the issue, and therefore all alike incompetent to decide upon it.

I said that in reconsidering the whole subject I would receive anything that he might think proper to say further upon the subject of his pretension in writing. I should think it due to give the same opportunity to General Scott, who was absent, and should finally settle the point upon full advisement with those associated with me in the Government. He said he did not wish to take any advantage of General Scott's absence, and promised to furnish me a written statement of his claims.

Mr. Clay called, intending to have brought with him his draft of an answer to the Chairman of the Retrenchment Committee, but he had by mistake brought another paper. He mentioned the substance of it, but I told him I should wish to see it, and might perhaps have some suggestions to make in relation to it.

Mr. Southard brought a large bundle of dispatches from Captain Biddle, and from our Chargé d'Affaires at Buenos Ayres, J. M. Forbes, presenting an aspect of affairs at that place very unfavorable, and threatening to the tranquillity of that country. Commodore Biddle had declined to take Mr. Rivadavia on board his ship.

Mr. Rush mentioned two or three cases now pending before the Supreme Court in which the United States, although not on the record parties, were yet deeply interested in the issues, and enquired whether the Attorney-General should be requested to take part in them before the Court. I advised that he should.

27th. Governor Barbour brought me the pamphlets and other papers relating to the controversy between Generals Scott and Gaines for their relative rank, but I could not read them. At eleven o'clock the Marshal, Ringgold, came and informed me that the procession was ready. He and my son John went with me in the carriage. The procession went from General Brown's house. The militia of the District turned out in considerable numbers. Of the army, there was only a company of artillery from Fort Washington and the few marines of the corps stationed at the navy-yard. The military escort preceded the corpse; the family of the deceased immediately followed, and the members of the Senate and House of Representatives, in carriages, after mine. The roads were muddy and deep. Departing from the house just after noon, it was near three o'clock when we reached the navy-yard cemetery. The funeral service, much abridged, was performed by Mr. Hawley, after which three rounds of musketry were fired by a detachment of the infantry. I was escorted home by two troops of cavalry, that of Major Andrews preceding, and that of Captain Stuart, from Georgetown, following after, my carriage. It was close upon four o'clock when I got home.

Mr. Silsbee called here in the evening; said he had a ship loading at Baltimore which he was about sending to Buenos Ayres; but it was reported there had been a blockade declared by the Government of Buenos Ayres of the whole coast of Brazil; that under this secret blockade an American vessel called the Ruth had been captured and condemned—which

had alarmed him and many other merchants. He said Mr. Clay had mentioned to him that dispatches had been received from Mr. Forbes, the Chargé d'Affaires at Buenos Ayres, with information that this blockade had been revoked, and that he had sent those dispatches to me.

I found them immediately, in one of the boxes sent from the Department of State. It appeared that the blockade was declared in the sixth article of reserved or secret instructions furnished to their privateers. The brig Ruth was captured under them, and when brought into port and upon trial the instructions became public. Forbes had already addressed a note to the Minister of Foreign Affairs remonstrating against the capture, and demanding the restoration of the Ruth. On the publication of the instructions, he sent another note demanding whether they were authentic, and remonstrating especially against the sixth and also the first article. He received from the Minister of Foreign Affairs an answer that such instructions had been issued on the occurrence of the war with Brazil, adopted from similar instructions issued at a former period of their war with Spain; but that on the same day that Mr. Forbes's note had been received the sixth article of the instructions had been revoked and the first article had been modified. The case of the Ruth was still before the judicial Court, undecided.

Mr. Silsbee intimated a wish that this dispatch from Forbes, and the notes between him and the Buenos Ayrean Minister of Foreign Affairs, might be published.

I gave this morning to the Secretary of War Colonel Jones's draft of an order announcing to the army the decease of General Brown, with that which I had sketched, somewhat enlarging upon it. I desired Governor Barbour to make what use of my draft he pleased, and to treat it by alteration or omission as freely as I had dealt with Colonel Jones's. The Governor had expressed a wish that in alluding to the character of Brown some notice might be taken of his humanity. I had accordingly introduced a few words conveying that idea. He thought them sharp-pointed, and I left it to his judgment to retain or omit them.

28th. My wife was almost the whole of this day extremely and alarmingly ill, and I was, as more than once has happened in the course of my life, distracted with a multitude of company and at the same time in the deepest distress for her. The agony of mind which at such times I endure is indescribable. The suffering that must be suppressed, the cheerfulness that must be assumed, the indifference or gayety which surround me, the various calls of sympathy with those whom business or pleasure brings in society with me, form altogether a sort of convulsive state of existence which sometimes seems as if it would burst every ligament of self-control.

Mr. Gurley, a member of the House of Representatives, enquired for a copy of my correspondence with the Spanish Minister, Onis, concerning the boundary of Louisiana eastward of the Mississippi. I referred him to the twelfth volume of Wait's State Papers, in which it is contained.

Mr. Hassler, in behalf of Professor Renwick, of New York, enquired for a pamphlet on Weights and Measures, by George Skene Keith, which was lent me by General Swift when I was occupied upon that subject. I could not immediately find it, but promised to have it looked up. Hassler told me he had concluded to stay here a day or two longer, to advise with the Secretary of the Navy upon a project revived in Congress for the survey of the coast—a project which, at this time, will certainly come to nothing.

Mr. Garnsey came to enquire if the Senate had advised the ratification of a treaty between the Seneca Nation and certain individuals of New York, which was sent to the Senate by me at their last session. They have not acted upon it, but some of them are struggling to spin out of it a great constitutional question.

Colonel Little, member from Baltimore County, introduced to me two of his constituents, brothers, by the name of Poultney. Mr. Taliaferro, from Virginia, came with two of his—one a brother of the Speaker, Stevenson, the name of the other I could not retain. Mr. Pearce, member from Rhode Island, called to recommend Allen Wardwell for the appointment of Surveyor at the port of Bristol, lately vacated. He also spoke

of W. H. Harrison, a member of the Senate from Ohio, as a very suitable person to be appointed Major-General of the army.

To this I have strong objections; but there are propositions before both Houses of Congress for abolishing the office of Major-General, which it is highly probable will succeed.

Mr. Clay was here, and said he had prepared a report on a resolution of the Senate calling for information concerning the disturbances on the Madawaska and Aroostook settlements on the Northeastern boundary. I had been reading the documents reported by Mr. Barrell, and found among them a letter from Mr. C. Bagot to the Lieutenant-Governor of New Brunswick, of 8th December, 1818, in which it appears he had drawn a very unwarranted inference from a conversation with me. On recurring to my diary of 7th December, 1818, I found an account of the same conversation, which will enable me to rectify the misapprehension of Mr. Bagot. Mr. Clay had just received and read to me the note from Mr. Vaughan in answer to one from him demanding the release of Baker from prison and indemnity for his detention.

I desired Mr. Clay to reply to that answer, and, at his desire, promised to draw up a paragraph referring to that letter of Mr. Bagot. I had also much conversation with Mr. Clay concerning his answer to the letter from Mr. Hamilton, the Chairman of the Retrenchment Committee, upon the expenditures of the contingent fund of foreign intercourse. There was much matter which I suggested to him additional to that in his draft, and of which he said he would avail himself. I observed that to the comparative view of the appropriations for the years 1823, 4, and 5 with those of the years 1826, 7, and 8, there should be added similar views of the expenditures of the years 1822, 3, and 4 with those of 1825, 6, and 7. I remarked to him the reduction of *all* the South American missions from Ministers Plenipotentiary to Chargés d'Affaires, and referred him to the report of the Committee on the Expenditures of the Department of State in 1822, observing that as to this Department any comparative view of expenditures must refer to one and the same responsibility—my own, under Mr.

Monroe's Administration as Secretary of State, and now as President.

Governor Barbour proposed to issue an order to Generals Scott and Gaines to make all their reports for the present, and till further order, directly to the War Department; to which I assented. Mr. Southard requested the perusal of General Macomb's letter setting forth his pretensions to the appointment of Major-General; which I gave him. While I was thus engaged on business and with visitors, I was called several times to the sick-bed of my wife, who, after a day of most severe illness, was somewhat relieved towards the evening.

29th. Mr. Webster called, having recently returned from Boston and resumed his seat in the Senate. Mrs. Webster died some weeks since at New York, and was removed for interment at Boston. After the performance of the obsequies there, he came back, and is now constantly engaged, either in the Senate or in arguing causes before the Supreme Court. We had much conversation upon subjects of political interest at this time; upon a bill before the Senate relating to the forms of process in the Courts of the United States, under cover of which there was a project in operation for annihilating the most essential parts of their jurisdiction. It was creeping along almost "sub silentio," and had arrived at its last debatable stage on the day when he resumed his seat. He had then barely time to arrest it by obtaining a postponement of the question upon it till the next day, when, in a speech of two hours, he effectually stopped its progress for the time, and it has since been committed to be divested of its most objectionable features. There is reason to apprehend that there will be left yet enough to produce great injustice. Mr. Webster himself thinks the opposition majority in the Senate not so firmly cemented together as to be able to effect any important mischief.

I said that hitherto nothing violent had been attempted during the session in the Senate. All the treaties with European nations have been ratified. Most of the nominations have been confirmed, and, as yet, not one has been rejected. I had done everything in my power to avoid a collision, and none

has occurred. But they have passed a bill to make Bissell a Colonel for seven years back, the principles of which appear to me very questionable; and if it should pass the House of Representatives, it may revive, instead of definitively settling, the old controversy upon the reduction of the army. There might also be a question upon the appointment of a Major-General; but I thought it more probable that the office would be abolished—to which I should make no objection.

Mr. Webster appeared to be averse to the abolition of the office.

I spoke of the pretensions of General Harrison, sustained by the recommendation of the delegations from Ohio and Indiana; of those of Macomb, which would be favored by the delegation from New York; besides the conflict of claims between Scott and Gaines.

Mr. Heman Allen, late Minister Plenipotentiary to the republic of Chili, was here. I had some conversation with him respecting the state of affairs in that country, where there appears to be no sufficient reason for maintaining a Minister Plenipotentiary.

General Macomb brought a letter from himself to the Secretary of War, setting forth his claims to the appointment of Major-General; a letter from Mr. Calhoun to him, confirmatory of the statements of facts in his to Governor Barbour; and the Army Registers of 1820 and 1822—the first showing his precedence to Gaines and Scott, and the second how, upon the reduction of the army in 1821, he had lost it. Mr. Southard returned to me General Macomb's prior application to me for the office of Major-General. Southard is averse to the abolition of the office, and inclines to favor Scott. He spoke also of the two varying copies of the letter of General Jackson to Mr. Monroe, published in the year 1824, on the same day, in the National Intelligencer here and in the Columbian Observer at Philadelphia, and of the explanations which afterwards ensued between General Jackson and General Armstrong.

Mr. Clarke, the Clerk of the House, told me of a resolution offered this day by Wickliffe, of Kentucky, to call upon the President to direct the Secretary of War to report to the House

why a call of the House of 19th December, 1826, had not been answered.

Day. The general distribution of my time has scarcely varied since November. But the number of visitors, particularly of strangers, increase. I rise and retire to bed later by an hour. I cannot snatch so many moments for reading other than the newspapers. The last week has been crowded with incidents, which have reduced my sum of writing and thrown me two or three days in arrear. My eyes complain of inflammation, and my heart is sick..

March 1st. Mr. Archer, member of the House from Virginia, came to speak of the appointment of Major-General, and of his friend and constituent, General Scott. He said that, although younger than the General, he had been his school-mate and was his friend. He had felt it due to him to enquire whether any measure on the part of his friends would be necessary to present the merits of his claim to promotion.

I said that for the present there would not; that General Gaines had been here in person to urge his claims. I had told him that if I should ultimately come to decide between him and General Scott, I should not make up my mind against the latter without giving him the same opportunity of representing his claims personally or in writing. But there were other competitors for the office, in and out of the army; and there were propositions before both Houses of Congress for abolishing the place altogether. Until they should be disposed of, I should make no nomination; and if the office should be retained, the question will not be decided without long discussion, nor within time to deprive General Scott of the opportunity to say all that he may wish in support of his own pretensions.

Mr. Archer said he had expected this would be my course, and was satisfied with it.

Governor Barbour called, and spoke of his report to the House of Representatives in answer to a call concerning the appointment of cadets, from which it appears that Mr. Calhoun while Secretary of War had made appointments not only for the year 1825—all to take effect after he left the Department—but for the years 1826, 1827, and one for the year 1828. And

this is the President of the Senate who declines calling to order a drunken ribald of a member for want of authority, and the political puritan who proposes to the deaf and dumb to define the distinction between power and right.

I asked Governor Barbour about the pettish resolution offered yesterday by Wickliffe to the House. He said that the papers called for by the resolution of 19th December, 1826, had been all prepared and ready to be sent as long since as the close of the last session of Congress, but that from inadvertence the resolution had not been recollected at this session, and that was the only reason why they had not been sent.

Mr. Cutts, the Second Comptroller, called with a budget of accounts of Indian Agents which he thought exceptionable. There was one particularly of John Crowell, the Agent with the Creeks, in which were numerous and somewhat heavy charges, all recommended for allowance by McKenney, but which Mr. Cutts thought inadmissible, and which, Cutts said, were not warranted by any usage. He repeatedly stated that these Indian contingencies were the only accounts upon which the Administration would be vulnerable, and they would be so if McKenney should be allowed his range unchecked. He was traceable everywhere, and nowhere responsible. I disliked myself the appearance of the charges to which he objected, advised him to remain firm to his duty, and requested him to make out in writing a statement of all the points upon which he thought a control of the expenditure was necessary.

He promised that he would.

Mrs. Massy Harbison announced herself as the widow of a soldier in General St. Clair's army when he was defeated by the Indians in November, 1791. She has published a small book containing an account of her sufferings from Indian captivity after that disaster, and the murder by the savages of two of her infant children before her face. She said her husband had a pension from the United States till his death, a few years since, and that she had come here with the hope of obtaining some assistance from the Government, or at least some aid from individuals by the sale of her book.

2d. Heavy rain; continued almost the whole day. I at-

tended the morning service at St. John's Church. Mr. Hawley read prayers for the second Sunday in Lent. The sermon was preached by Mr. Aisquith, from near Annapolis. The text was from John iii. 16: "For God so loved the world, that he gave his only begotten Son, that whosoever believeth in Him should not perish, but have everlasting life." What is the meaning of the term *loved*, as an attribute of God towards the world? What is the world, as here used? If God loved the world, was the gift of his only begotten Son the only way in which that love could be manifested? What is the precise idea conveyed by the terms only begotten Son, as applied to God? How could belief in the Son of God save the believer from perishing and confer upon him everlasting life? These are hidden mysteries buried under the text, to the explanation of which the preacher did not approach. Life is enjoyment; animated existence is a gift of God demonstrating his goodness; intellectual life given to man is a yet choicer blessing, granted on this planet to man alone. Everlasting life is the perpetuation of this blessing, and how that shall be effected is the mystery revealed in the Scriptures—imperfectly disclosed, however, to the imperfect understanding of man. We now see as "through a glass darkly, but then face to face." Existence itself, and duration, are incomprehensible things. That they should be everlasting is not more unintelligible than that it should be. Matter undergoes perpetual mutation, but is never destroyed; why not the same of mind? It is in the gospel that we must seek for proofs of our immortality. "Even so, come, Lord Jesus." These words, from Revelation xxii. 20, formed the text of the afternoon discourse, which I heard from a stranger at Mr. Baker's. They are, with the exception of the salutation, the closing words of the New Testament and of the Bible, and the comment upon them was ingenious, solemn, and affecting. The preacher drew the partition of his sermon from the various considerations under which the coming of the Lord Jesus is desirable. The day was without interruption, but I did not occupy it so industriously as I should have done, even in meditations upon my own condition, and in seeking the things that belong to my own peace and salvation.

3d. Mr. Jones, from Boston, who was engaged at the Athenæum, brought a large collection of lithographical engravings, and among them the collection of the five Presidents, done in France, from copies taken from Doggett's collection, painted by Stuart. I had seen these before, and told Mr. Jones I did not like them. The art itself, though superior to that of engraving upon wood, is essentially inferior to that of engraving upon copper-plate. But of these portraits, the originals painted for Doggett were not in Stuart's best manner; the engravings were made after copies taken by I know not whom, made in France, with a gloss of the mannerism of inferior French artists; and they have metamorphosed the five grave Presidents of the United States into five petits-maîtres, courtiers of the old Court. All likeness and character and truth of nature have vanished in the process.

A person came with a subscription paper for a weekly French newspaper, to be called the Courrier des États Unis, and to be published at New York, which subscription I declined.

Mr. Clay was here, and spoke of an interview between him and the two Senators from the State of Maine, Chandler and Parris, relating to the Agents to be appointed for managing the concern of the disputed Northeastern boundary upon the arbitration, to which it has been agreed that it shall be submitted. It is proposed that there should be two Agents, of whom Mr. Gallatin shall be one, and the other a citizen of Maine. They persist in pressing Mr. Preble, though objectionable by his hostility to the present Administration, and they object decisively to J. Holmes, whom I had mentioned. Mr. Clay had told them that I would assent to any person upon whom the delegations from Maine and Massachusetts, or even the Senators from those two States, should agree.

I told Mr. Clay that, since I had last seen him, a person whom I believed to be the very best man in the State for the office had been recommended to me by Lieutenant-Governor Winthrop, of Massachusetts, and by the late Senator, Mr. James Lloyd, and, through them, by Mr. Reuel Williams, of Maine. I meant James Bridge, of Augusta, one of my oldest, and in early life most intimate, friends. I had indeed almost lost sight

of him for near forty years, but know that by his talents, his information, and the course of his life he must be peculiarly fitted for this particular service; and if he would accept the place, there was not an individual in the State in whose able and faithful performance of its duties I should place more implicit confidence.

Mr. Clay observed that he had a long letter from Mr. Gallatin, who was willing to be employed in this Agency, but wished it might be established by law, which I thought also necessary. I advised that the measure should be proposed either by General Chandler in the Senate, or by Mr. Everett, as Chairman of the Committee of Foreign Relations, in the House.

Mr. Clay left with me for my perusal a letter from C. S. Todd to him, mentioning the opinions of his late father, the Judge, and his father-in-law, Governor Shelby, upon the late Presidential election, and also of conversations between Mr. Clay and them indicative of his feelings, the summer before the election came on; also a copy of Mr. Clay's own letter to Mr. Blair, dated 8th January, 1825, which, at the late inquisition before the Senate of Kentucky, Blair refused to produce, and from which letter he says they have pretended that the bargain would be proved; and a copy of the letter which he has written to W. H. Crawford in answer to one lately received from him. He spoke also of the answer he had prepared to a letter from the Chairman of the committee upon the expenditures of the Department of State, which George Watkins afterwards brought me from the Department, and which I read. It refers to two statements of the contingent expenses of the Department during the present Administration, which I asked Watkins to send me over.

4th. Mr. Clay was here, and I returned to him the letters he had left with me for my perusal. He asked my opinion with regard to the publication of his letter to Blair, which I thought might be expedient, though it is precisely one of those letters the production of which is so justly and severely reprobated in the divine philippic of Cicero. It is dated the 8th of January, 1825, the day before his interview with me at my house, when he declared to me his determination to vote for me at the ap-

proaching election; and seven days after Letcher had explicitly informed me that such would be the vote of the majority of the Kentucky delegation. The letter is written, as he says, with too much levity. The criticism to which it is liable is, that its object was to impress his friend with an elevated idea of his own importance. He represents the *friends* of all three of the candidates then before the House as courting him with great anxiety, and he represents mine as addressing him with tears in their eyes. This was meant by him only as a joke upon my infirmity of a watery eye; but malignity will give it a construction as if intended to insinuate that in these overtures of my friends I myself participated. If this was his suspicion, he will be abundantly punished by that which will befall himself by the publication of the letter. It is indeed insinuation of suspicion, perhaps not unnatural in the situation which he then held, but utterly without foundation. No friend of mine had ever been authorized by me to avow the slightest wish that he should vote for me; but his friend Letcher had seven days before explicitly told me that the majority of the Kentucky delegation were irrevocably determined to vote for me. The tendency of the letter will not be to remove the unjust suspicions which malice and political profligacy have cast upon him, but it will give them no confirmative proof, and the suppression of the letter would pass for proof with all those disposed so to receive it. The publication of the letter will be the best, because the frankest course, but it will prove nothing except the treachery of the friend to whom it was written. The divulging of private and confidential letters is one of the worst features of electioneering practices among us. Though often tempted and provoked to it, I have constantly refrained from it.

I read this day part of the recent dispatches from Mr. Poinsett in Mexico; and in the evening drafted a paragraph to be inserted in a note to Mr. Vaughan, the British Minister, concerning the letter from Mr. Bagot to the Lieutenant-Governor of New Brunswick, of 8th December, 1818.

5th. Mr. Southard came to converse with me concerning dispatches received from Captain Kearney, commanding the sloop of war Warren in the Mediterranean, who, he said, had

been taking measures of great energy for the suppression of pirates among the Greek islands; and some of his proceedings bore a resemblance rather strong to the descent of Commodore Porter upon the island of Porto Rico. I had not received the papers, and, although they were afterwards brought to me, I had not this day time to read them.

Commodore Rodgers brought me a letter to him from Mr. Offley, our Consul at Smyrna. It is in somewhat of a querulous tone, manifesting a high sense of his own influence with the Turkish Government, with hard intimations that all our commerce with Turkey has for many years been carried on through his influence, and that he has never received for it any thanks. He says his services have never been either approved or disapproved; speaks with bitter contempt of the Greeks, whom he represents as a mere nest of pirates, and with severe ridicule of the contributions levied in this country to sustain the Greek cause. He insinuates that if he were duly authorized he could conclude a favorable treaty for us at Constantinople in a very few days.

I told Commodore Rodgers, while thanking him for the perusal of the letter, that the prejudice in favor of the Greeks in this country was so warm that even the attempt to negotiate with the Turks would meet with censure. To effect anything at this time would be impossible. Rodgers himself, and all the commanders of our armed vessels in the Mediterranean, have great abhorrence and contempt for the Greeks. Rodgers told me that he believed the Capitan Pacha, with whom he had conferred, was now the Grand Vizier, and I had seen in the newspapers that the commander of the Turkish squadron at Navarino had been appointed Capitan Pacha.

Mr. Rush was here with sundry papers from the Treasury Department. A Surveyor to be appointed for the port of Bristol, in Rhode Island. He spoke also of the letters from Messrs. Madison and Monroe declining to stand as candidates to serve as Electors of President and Vice-President at the next election. He thought the letter of Mr. Monroe would be liable to be criticised.

Governor Barbour brought me a printed proclamation of

Governor Forsyth, of Georgia, declaring the jurisdiction of the State to be extended over the lands now occupied by the Cherokee tribe of Indians.

Mr. Lowrie, the Secretary of the Senate, brought me two resolutions of that body, one confirming three nominations, and the other not advising and consenting to the ratification of the treaty, which I had sent to them at the last session, between the Seneca Indians and certain citizens of the State of New York.

Mr. Barrell came, and had some conversation with me upon the subject of his report, and of the message with which I had communicated it to the Senate. He thinks it cannot be contested that the Madawaska settlement was within the territorial jurisdiction of the province of New Brunswick.

6th. Mr. Southard brought a bundle of additional dispatches received from the Mediterranean, for my perusal. I had this morning read those he had left with me before. The Grecian islands have again become the resort and receptacles of pirates, as from time immemorial they have been whenever the condition of the neighboring continent has been convulsed. The robberies are now committed under the Greek or the Ionian flag. The commissions are sold at a low price. The system of piracy is organized under a single leader, and is perpetrated in large boats called trattos. The pirates skulk from island to island in that archipelago. A boat is fitted out in one island, the plunder is carried to another, thence exported to a third, and is sold in open market, even at Smyrna. Captain Kearney retook part of cargoes, sails, and rigging robbed from several American and from one Austrian vessel, took and destroyed several piratical boats, blew up the house of the principal pirate on the island of Andros, and at Myconi threatened to fire upon the town if they did not deliver up some of the pirates and of their booty. His demand was addressed to the Governor and Primates of the island. Who they were does not appear, and there is no answer from them; but persons styling themselves Vice-Consuls of France, England, and Sardinia sent Kearney a remonstrance against his threat to fire upon the town, and he did not carry it into execution. But his officers landed from a

boat and took several of the pirates in the woods, and one was sent off to him by the inhabitants. It appears that upon these islands there is no regular and responsible government, and that these summary measures of Kearney may have been warranted by necessity. They require, however, deliberate consideration.

7th. Stephen Fitch, a man having the appearance and manners of a Quaker, came, and told me that he had come hither with Red Jacket and two others of the New York Seneca and Oneida Indians to complain of wrongs in regard to the purchase of their lands; that he himself had been extremely anxious to see me, and although he had been advised not to come, and told that I should probably not receive him, he had yet determined to make the experiment, and Red Jacket was equally desirous to see his father the President. I told him that I had been glad to see him, and would with equal pleasure see Red Jacket; but that any complaint or representation that they had to make with regard to the lands must be to the Department of War. I had this day sent to the Senate message No. 23, with all the papers addressed directly to me, relating to these complaints of the New York Indians. I sent them in answer to a resolution of the Senate requesting all the papers relating to the treaty made by Governor Cass and T. L. McKenney at the Butte des Morts last summer, with the Winnebago and Menomonee Indians, which is now before the Senate. The direct access to the President in all their transactions with this Government, and especially in the representation of all their grievances, they take greatly to heart, and with much more reason than the white hunters—that is, office-hunters. This access I have never denied to any one, of any color, and, in my opinion of the duties of a Chief Magistrate of the United States, it ought never to be denied. The place-hunters are not pleasant visitors or correspondents, and they consume an enormous disproportion of time. To this personal importunity the President ought not to be subjected; but it is perhaps not possible to relieve him from it without secluding the man from the intercourse of the people more than comports with the nature of our institutions.

Mr. William Patterson and Mr. Lorman, of Baltimore, came as a deputation from their great railroad company, with a letter from the President, Thomas, requesting that the Engineers in the service of the United States who have already been employed as assistants in their preliminary surveys might be directed to continue with them.

I told them I was entirely disposed to comply with their request, but referred them to the Secretary of War.

Mr. Clark, a member of the House from Kentucky, called, and spoke of the approaching elections in Kentucky. That of Governor and for the Legislature of the State will be in August, and its issue will be decisive of the result of the subsequent choice of Electors of President and Vice-President, which will take place in November. He said there was a pamphlet, written by Samuel D. Ingham, against me, printed at the commencement of this session of Congress, and of which many thousand copies had been sent by members of Congress franked into Kentucky and all the Western country. He thought it related to my old accounts, and he asked me if I could not find time to write an answer to it, which might be circulated in like manner. I told him the pamphlet was not upon my accounts, but another *slander*, representing me as a monarchist; that it was a publication by a Jackson electioneering committee at Philadelphia; that it had been answered by Jonathan Roberts, to all substantial purposes, as well as I could answer it myself; and that in the speeches of E. Everett, E. Dorsey, and J. C. Wright all the calumnies which Ingham and his associates are pouring forth against me have been answered and refuted.

8th. George Watkins brought me from the Department of State a letter from Mr. Clay to Mr. Gallatin, upon the subject of his agency in relation to the Northeastern boundary arbitration—which I approved.

Mr. Brent was here twice, the first time with a letter from Charles Walsh, of Baltimore, repeating an old application for a diplomatic appointment. He now wishes for that of Chargé d'Affaires to the republic of Colombia, in the place of Beaufort T. Watts, who is returning home. The second was with a

speech which Mr. Campino, the Minister from Chili, proposed to deliver to me on his presentation, with a translation.

In the interval, Mr. Smith, member of the Senate from South Carolina, came, and introduced a young man named Thomas, as a nephew of the late Mr. John Gaillard. He has, however, not been in South Carolina these four or five years.

Bartholomew Wistar and Samuel Bettle are two Quaker companions of Elizabeth Robson, the female preacher from England. They came to inform me that they had obtained permission for her to preach to-morrow in the hall of the House of Representatives, and to request my attendance.

About two o'clock Mr. Clay came, and presented to me Don Joaquin Campino, who delivered his letter of credence as Minister Extraordinary and Plenipotentiary from the republic of Chili. He addressed me in a very few words in Spanish, which were explained to me by his interpreter, and which comprised only a small part of the speech which he had delivered in writing. The speech was complimentary to the United States, and personally to me, expressing the grateful acknowledgment of the Chilian Government that the United States had been the first power which had recognized the independence of Chili and to send them a Minister. In return it observed that he was the first Minister ever sent by Chili to a foreign power; apologized for the delay of this reciprocation; expressed the satisfaction of his Government with the conduct of Mr. Allen during his residence among them, and also with that of Mr. Larned, now the Chargé d'Affaires; finally, expressed the earnest wish of Mr. Campino that while residing here he might be instrumental in cementing the friendly relations between the two Governments.

I answered briefly every part of his speech as if he had delivered it, first expressing my regret at not being able to speak to him in his own language. I desired his interpreter to say that the people and Government of the United States had witnessed with deep and constant sympathy the arduous struggle of the people of Chili for national independence. They had taken pleasure in being the first among the nations to recognize that event, and in sending the first diplomatic mission

which had ever been received in Chili. I desired him, in writing to his Government, to say that I had learnt with the highest satisfaction that our late Minister, Mr. Allen, had so conducted himself during his residence as to have secured the approbation of the Chilian Government; and that our present Chargé d'Affaires, Mr. Larned, had also made himself acceptable, as I hoped and trusted he would continue to do. For the sentiments of personal respect and kindness tendered from the President of Chili to myself, I requested him to say that I received them with much sensibility, and with a cordial and reciprocal return. I joined also very sincerely in the wish of Mr. Campino that his mission might contribute to improve the intercourse and friendly relations between the two countries; that his reception and treatment here might render his residence among us as agreeable as possible, and that on finally returning home he might carry with him an opinion of our country still more favorable than that with which he had come.

The Secretary of Legation, as well as the interpreter, came with Mr. Campino. The audience was over in ten minutes, and Mr. Clay remained with me a short time after the Minister and his Legation had withdrawn. He mentioned a new candidate for the office of Treasurer—Mr. Savage, now the Chief Justice of New York. The motives suggested for this appointment are political, and one of them is to prepare for Mr. Savage's being brought forward as the candidate for the office of Governor of New York. Mr. Clay spoke also of the mission to England, and named Mr. Rush, Governor Barbour, and Mr. Webster as persons perhaps inclined to accept it. In fitness for the office Mr. Webster stands pre-eminent. The political considerations at the present moment are unfavorable to his appointment. Mr. Clay said that if Governor Barbour should be appointed, he would certainly not remain more than a year or two in England; and he thought it would be best if Mr. Webster would postpone his pretensions for that time; but that after what had passed, if Mr. Webster should insist upon it, he thought he should be appointed.

Mr. Bailey, of Massachusetts, came and passed a couple of

hours with me this evening. His object was to make a proposition, in the first instance not very distinctly disclosed, but which I chose immediately to understand, and to meet in a manner altogether explicit. He ultimately informed me that it had been suggested to him by Mr. Webster. He said that the election of Governor and of the Legislature of Kentucky would take place next August; that the great and decisive struggle of the parties would be at that election, which would decide the fate of the subsequent election of Electors of President and Vice-President in November. These Electors, by a recent Act of the Legislature, are to be chosen by a general ticket throughout the State. Immense exertions are making by the opposition party to carry this election of August. They spend much money, and there is an indispensable necessity of counteracting them in the same manner. Now, Mr. Bailey's question to me was, whether I had a sum, from five to ten thousand dollars, that I was disposed to give without enquiring how it would be disposed of, but which would be employed to secure the election of General Metcalf as Governor of Kentucky next August.

I answered that there was a sentiment expressed first by the late Mr. Lowndes, much repeated since by General Jackson and his friends, though not practised upon by them, but hitherto invariably observed by me, that the Presidency of the United States was an office neither to be sought nor declined. To pay money for securing it, directly or indirectly, was, in my opinion, incorrect in principle. This was my first and decisive reason for declining such a contribution. A second reason was, that I could not even command a sum of five thousand dollars without involving myself in debt for it; and a third was, that if I once departed from the principle and gave money, there was no rule, either of expediency or of morality, which would enable me to limit the amount of expenditure which I ought to incur. I could certainly appropriate half a million of dollars to the same object without transcending any law, and with as much propriety as I could devote five thousand to the election of a Governor of Kentucky.

Mr. Bailey seemed surprised to hear that I could not raise

five thousand dollars without borrowing, and said Mr. Webster had told him I had a large sum—fifty or sixty thousand dollars—lying dead in a bank at Boston..

I told Mr. Bailey candidly the state of my affairs; that the expenses of my family and the support of my three sons now absorb very nearly the whole of my public salary; that all my real estate in Quincy and Boston is mortgaged for the payment of my debts; that the income of my whole private estate is less than six thousand dollars a year, and that I am paying at least two thousand of that for interest upon my debt. Finally, that upon going out of office in one year from this time, destitute of all means of acquiring property, it will only be by the sacrifice of that which I now possess that I shall be able to support my family.

I note as a remarkable incident this proposition to me to contribute five or ten thousand dollars to carry the election of a Governor and Legislature of Kentucky. The mode of expenditure is by the circulation of newspapers, pamphlets, and handbills. It is practised by all parties, and its tendency is to render elections altogether venal. The coincidence of Mr. Clark's proposal that I should write a pamphlet in answer to Ingham's slanders about my accounts, with Mr. Clay's opinion that Mr. Webster, if he insists upon it, should be appointed to the mission to Great Britain, and with Mr. Webster's proposal that I should sport five or ten thousand dollars upon the election of a Governor of Kentucky, is perhaps all accidental; but in the operations of parties objects of great dissimilarity to each other are often connected by imperceptible links together.

9th. I heard Elizabeth Robson preach at the Capitol, in the hall of the House of Representatives. Her text was Ephesians v. 1: "Be ye therefore followers of God, as dear children; 2, and walk in love, as Christ also hath loved us, and hath given himself for us an offering and a sacrifice to God for a sweet-smelling savor." She repeated these words without announcing in what book of Scripture they were, but said they had occurred to her reflections while she was sitting there. This implies that she had waited for the outpourings of the Spirit for the extemporaneous suggestion of a text; that she had taken no thought

of what she should say. Yet she discoursed, without interval or hesitation, for about an hour upon those words. This power of unpremeditated speech is neither very rare nor very valuable, but is of great use to those who possess it. In Elizabeth Robson it consists in the faculty of stringing together a succession of passages from Scripture, principally from Paul's Epistles, which she has committed to memory, and through which her discourse runs like a line of pack-thread through a row of pearls. Her manner is earnest and affectionate, and the tone of her voice falls into cantation. Her eloquence and genius are not of so high an order as those of Harriet Livermore, but she more cautiously avoids giving offence to her hearers. When she had finished her sermon and sat down, a great part of the auditory thought she had finished, and were going away. One of her male companions, however, gave notice that the services were not concluded, and asked indulgence for a short and quiet pause; after which she kneeled and made a very fervent prayer, and then her friend signified that the meeting might separate.

There was this evening the shock of an earthquake, the first which I ever distinctly noticed at the moment when it happened. I was writing in this book, when the table began to shake under my hand and the floor under my feet. The window-shutters rattled as if shaken by the wind, and there was a momentary sensation as of the heaving of a ship on the waves. It continued about two minutes, and then ceased. It was about eleven at night. I immediately left writing, and went to my bed-chamber, where my wife was in bed, much alarmed.

10th. Mr. Clay came, and took the paragraph that I had drawn to be introduced into a note to Mr. Vaughan, the British Minister, in his reply to his answer on the demand for the release of John Baker. Mr. Clay spoke again upon the subject of S. D. Ingham's slanders against me relating to my accounts, and of Mr. Clark's urging that I should write a refutation of them. He spoke of the parallel statement of the allowances to Mr. Monroe and to me, and thought Mr. Ingham's agency in obtaining an additional allowance to Mr. Monroe, after Mr. Monroe had already received seven thousand dollars more for a like term of service than me, should be exhibited in broad

contrast with his charges against the allowances to me. Mr. Clay spoke of the accounts from Kentucky as being extremely favorable with regard to the prospects of success in the elections.

11th. I had this day so little interruption of visitors that I ought to have written more than usual. I wrote less. I read also the speech of John Randolph on retrenchment and reform, published by himself in a pamphlet with notes. It is, like all his speeches, a farrago of commonplace political declamation, mingled up with a jumble of historical allusions, scraps of Latin from the Dictionary of Quotations, and a continual stream of personal malignity to others, and of inflated egotism, mixed in proportions like those of the liquor which he now tipples as he speaks in the House, and which he calls toast-water—about one-third brandy and two-thirds water. This is the speech in which he charges Mr. Clay with having condescended to electioneer with him; asserts there was a combination of Webster and Clay against me, which, in a note, he says I defeated by causing the votes which Mr. Crawford got in the New York Legislature to be given to him, and thereby securing his return to the House and excluding thereby Mr. Clay. This idea of my causing votes of the New York Legislature, which I could not obtain for myself, to be given to Mr. Crawford is one of the most ingenious in the whole pamphlet, and is a sample of the materials of which his accusations are composed. The rancor of this man's soul against me is that which sustains his life, and so it is of W. B. Giles, now Governor of Virginia. The agony of their envy and hatred of me, and the hope of effecting my downfall, are their chief remaining sources of vitality. The issue of the Presidential election will kill them by the gratification of their revenge.

12th. Governor Barbour brought me sundry papers: a treaty concluded the 11th of last month by John Tipton, Indian Agent and Commissioner on the part of the United States, with the chiefs and head-men of a part of the tribe of Miami Indians, to be laid before the Senate; papers relating to the appointment of a Professor of Philosophy at West Point, in the place of Professor Mansfield, who resigns, asking a furlough till the

1st of August, and his resignation to take effect then; also two applications from Indians for my approbation of sales of lands reserved to them by Indian treaties. I spoke to Governor Barbour concerning the resolution of the House of Representatives upon the Cherokee Constitution, but his report relating to it is not yet prepared.

Mr. Rush brought me several papers from the Treasury Department—one concerning a charge of malversation against the Collector of the Customs at Castine. This was a letter from the persons who had made the charge, retracting it, not indeed very graciously, for, after acknowledging that they had been shown by the Collector proof of the correctness of his conduct in the transaction which they had denounced as fraudulent, they insinuate that they withdraw the charge rather for want of evidence than from belief that it was not well founded.

I mentioned to Mr. Rush the voluminous papers on the charges against the Registrar and Receiver at Sparta, Alabama, which are now before me, and the impression they have made upon my mind, together with other circumstances, that a very vigilant eye is needed somewhere to watch over the entire administration of our land laws. I asked him if he had noticed that there was now a bill in passage before Congress repealing the law that requires the annual examination of the Land Offices. He said he thought this repeal would leave a discretionary power to have the examinations made whenever the President might think proper, and that it would thus be more advantageous than the annual examinations, for which the officers might always take care to be prepared. Mr. Rush spoke also of the donation of a township of land in Florida to the Kentucky Deaf and Dumb Asylum, and of a contest upon the construction of the law between Moore and Wickliffe, Representatives from Kentucky, and Mr. White, the delegate from Florida.

13th. Mr. Clay called, and spoke of a confidential dispatch received from A. H. Everett, in Spain, which gave him some uneasiness; also of a treaty of limits, which Mr. Poinsett has concluded at Mexico. He likewise mentioned a note in reply

to one from Mr. Vaughan concerning the disturbances on our Northeastern boundary. Mr. Clay told me that since Saturday he had had a conversation with Mr. Webster respecting the mission to Great Britain; that Mr. Webster somewhat earnestly desired it, being forty-six years of age, and, if to go abroad at all, wishing not to postpone it until altogether past the prime of life. But as Governor Barbour, who is very anxious to go upon the same mission, would certainly not stay more than one or two years, Mr. Webster is quite willing to postpone his pretensions to the appointment for that time.

I asked Mr. Clay if he had thought of any person to supply the place of Governor Barbour in the Administration. He named General P. B. Porter and Ambrose Spencer; one of these two, and, he thought, no others. The mission to England is probably now desired both by Governor Barbour and Mr. Webster, and also by Mr. Rush, as a harbor from the storm. I cannot blame them. The majority of the people in their respective States are inveterately opposed to the Administration; and there is scarcely any condition so mortifying as that of being in a minority at home. I read this evening three passages in Milton's Paradise Regained, and wrote some observations upon them to my son George, who had noticed them in his last letter. I made an effort also to read some pages in Clarendon's History, but found the time failing me, so that I was obliged to give it up.

14th. Governor Barbour was here twice: first with a memoir by General Gaines, of twelve sheets of paper, in support of his claim of precedence over General Scott; and the second time with the proceedings of a Court-martial upon three cadets at the Military Academy at West Point. They are all three sentenced to be dismissed; but Colonel Thayer, the Superintendent, recommends the remission of the sentence in the case of John H. Barney.

15th. Mr. Clay took back the draft of his note to Mr. Vaughan upon the usurpation of jurisdiction by the Government of New Brunswick on the disputed Northeastern boundary.

Colonel Roberdeau called to apologize for not having yet

completed the copies of a map which was agreed upon by Mr. Gallatin and the British Plenipotentiaries to be used before the arbitrator upon the Northeastern boundary. He said he would have two of the three copies finished by the middle of next week.

Mr. Everett came and spent part of the evening with me. He returned the papers which I had lent him in relation to my accounts, and spoke of the proceedings of the Retrenchment Committee, upon which he said Ingham and Wickliffe were extremely busy in search of charges to make against the present Administration. He said there was a large item of secret service expenditure vouched only by my certificate, and asked, if there should be a great clamor made about it, whether there would be any objection to making a confidential communication to the House of the object of the payment. I said, Certainly. The secret was enjoined upon me by the Constitution and the law, and I should not divulge it. It might be alleged as probable, and such was the fact, that, although the accounts had been lately settled, the expenditure had been incurred and the payments authorized by the late President's direction.

16th. I was without interruption from visitors this whole day; but an interruption of another kind absorbed my time. A letter from my son Charles contained an extract from an Epistle of Cicero to Lentulus, to the moral principle of which Charles takes exception. I first sought the epistle, and found it, Ad Diversos, i. 9; then in Melmoth's translation, where it is ii. 17; and read both the original and the translation. It is the vindication of his conduct upon the first triumvirate of Pompey, Cæsar, and Crassus; a long and deeply interesting letter, strongly marked with the character of the writer's mind, and probably intended as his defence, before the tribunal of posterity, of his own course in a most critical and difficult period in the history of his life.

17th. I took up again the Epistle of Cicero to Lentulus, and read it through, as well as the translation of Melmoth, which is not accurate. Melmoth's commentary censures very harshly the transactions which the orator in this epistle attempts to justify; but I perceive little in them that can be blamed. I

consulted Crevier, but found him as much prepossessed against Cicero as Melmoth. Valerius Maximus, however, does him justice, and speaks of his defence of Gabinius and Vatinius as a memorable example of magnanimous reconciliation. So different are the judgments of men upon the same actions. These researches absorbed again more than all the leisure of the day.

Governor Barbour brought a report of T. L. McKenney upon a resolution of the House of Representatives relating to the Cherokee Constitution, and left it with me for my perusal. I have read a long memorial of General Gaines upon the question of rank between him and General Scott.

Mr. Thomas, the Senator from Illinois, came, and conversed with me upon the state of affairs in Kentucky—the division of parties so nearly equal, and the violent struggle anticipated between them next August for the victory. He rather intimated than distinctly expressed a wish that something might be done to conciliate Mr. John Pope, who, he said, had a very great regard for me.

I said I would do anything just and honorable to conciliate Mr. John Pope, but that he had of late used singular means to manifest his regard for me. He was a member of the Senate of Kentucky, and that body had recently, with Mr. Pope's full assent, constituted itself into a Court of Inquisition to try me upon a charge of corruption, and sent for persons and papers, inviting ex-parte depositions and garbled statements, where the parties inculpated could have no opportunity to be heard, and where the testimony given and the testimony suppressed was alike adapted to promote groundless slander.

Thomas told me that he himself intended at the close of his present term of service to decline a re-election to the Senate, and to remove into the State of Ohio; that he had now separated himself entirely from his colleague, Kane, who, he was satisfied, was an insincere man; that he should in future oppose him, and would prostrate him, though with great reluctance, for Kane was indebted to him and to his friends for all that he was. Thomas spoke also of Governor Edwards, of Illinois, as doubtful whether for or against the Administration—as far, however, as he could ascertain, favorable.

Mr. Baker, the minister, came to inform me of his intended removal to Savannah, and to make proposals for the arrangement of his concerns with me; to which I readily agreed. He read me part of a letter to him from Mr. Marks, the Senator from Pennsylvania, making enquiries concerning my subscriptions to pious and charitable institutions, of which I told him I had little to say. He made also some enquiries concerning my religious opinions, and particularly concerning my ideas of the Trinity. I spoke to him as freely as I did with the General of the Jesuits at St. Petersburg. I told him, in substance, what I had written to my son George: that I was not either a Trinitarian or a Unitarian; that I believed the nature of Jesus Christ was superhuman; but whether he was God, or only the first of created beings, was not clearly revealed to me in the Scriptures.

He lent me a small printed pamphlet, by a Mr. Lewis Tappan, of Boston, who has been converted from Unitarianism to Orthodoxy, and who is now desirous of making proselytes to his new faith. Mr. Baker was in ecstasies at this pamphlet, which he thought full of the milk of kindness and altogether lovely, but which I thought illiberal and libellous.

Mr. Webster paid an evening visit to me, and also to the ladies. He spoke of the result of the recent election in New Hampshire as more flattering than the event will probably warrant. Yet there is reason to hope that it has been more favorable than I had expected. In elections, promising first accounts are almost invariably dashed with final disappointment.

19th. Mr. Brent came from Mr. Clay, and mentioned that Mr. Rochester, the Chargé d'Affaires to the central republic of Guatemala, was still at Norfolk, waiting for his passage. By the accounts recently received from that country, a desperate civil war is raging among them; and Mr. Clay proposed giving an instruction to Mr. Rochester, if he should find upon his arrival at Omoa that no useful purpose would probably be attained by his proceeding to his destination, to return immediately to the United States.

I assented to this, but desired Mr. Brent to present to the consideration of Mr. Clay the expediency of suspending for the present the mission to Guatemala and directing Mr. Rochester

not to proceed upon the voyage. Mr. Clay was here, and complained much of the state of his health; expressing his fears that he may not be able to hold out even for a few months. He spoke of Mr. Rochester, and thought it would be most expedient to instruct him to proceed to Guatemala—the letters from the Consul at Omoa, Phillips, expressing much solicitude for his arrival, in the hope that his presence might afford protection to the persons and property of our citizens there. Mr. Rochester has been so long at home, waiting for a passage, that Mr. Clay thought it would be more satisfactory to him, and also to the public mind, that he should go to the place of his destination, rather than that his mission should now be abruptly terminated. But he agreed that it would be advisable shortly to abolish the mission to the central republic; and the rather because he had this day received a letter from Mr. Gonzalez, their Chargé d'Affaires in this country, now at New York, announcing that in consequence of the disastrous state of his own country he found himself compelled forthwith to embark and return home, though with a promise to come back as soon as he shall be authorized thereto by his Government. Mr. Clay mentioned also the increasing uneasiness of our Northeastern frontier, where some fresh disturbances have taken place, and where he proposed that a detachment of troops should be ordered.

I desired him to confer with the Secretary of War upon this matter, and also that he would instruct Mr. Lawrence, at London, to remonstrate against these proceedings of the Provincial Government of New Brunswick.

20th. Governor Barbour brought also with him an original letter dated October, 1812, from General Jackson to George W. Campbell, then a Senator from Tennessee, demanding the removal of Silas Dinsmoor, then an Indian Agent, because he had stopped a negro-trader who was passing through the Indian country, he not having a passport. Jackson was so highly incensed at this that he wrote to G. W. Campbell, requiring him to call upon the Secretary of War and give him warning that if Dinsmoor should not be immediately removed the people of West Tennessee would burn him up in his Agency.

This letter, and several others relating to the same subject, have lately been found at the War Department, in the searches for the correspondence concerning the execution of the Tennessee militia-men at Mobile. Another motive, too, has spurred the search for some of his original letters. In the Legislature of Louisiana, last spring, some of his partisans got up a resolution inviting him to attend in person the anniversary celebration of the 8th of January at New Orleans. He caught eagerly at this bait, and went with a numerous train of attendants from Nashville to New Orleans, in the dead of winter, to exhibit himself in pompous pageantry. His reception was equivocal, with a laborious effort of magnificence, and mortifying indications of ill will and disgust among the people. Deputations were sent from various other States, from meetings of his devotees, to meet him at the celebration, and five or six addresses of fulsome adulation were delivered to him, to which he returned answers of cold and high-wrought rhetorician eloquence. These answers were all written by Harry Lee, who has become an inmate in his family and attended him to New Orleans. As they were in an ambitious and court-dress style, some of his impudent jackals fell into ecstasies in the newspapers at his eloquence and fine literary composition, and they were boldly claiming for him the reputation of an elegant writer. But the General, in one of his raving fits, had sent one of his Nashville whitewashing committee's pamphlets on his matrimonial adventures to Peter Force, editor of the National Journal, and had written with his own hand, though without signing his name, on the title-page, about four lines, insulting to Force and grossly insolent to the Administration. Coarse, vulgar, and false in its invective, it was couched in language worthy of ancient Pistol, and set all grammar and spelling alike at defiance. When the panegyrics upon the composition of the answers to the New Orleans addresses began to thicken, and the peal of parasitical applause to swell, Force published literatim the manuscript note sent him, with the Nashville Committee Report, and in a very short commentary marked the contrast between the wording of the note and the tawdry elegance of the answers to the addresses. On the day of Force's publi-

cation, White, the Senator, and Polk, a member of the House from Tennessee, called at his office and asked to see the pamphlet with the note. It was shown them, and to the enquiry whether they recognized the handwriting of the note they answered with equivocation and evasion. The liars of the newspapers were more bold: they denied that the manuscript note was written by Jackson, and treated as infamous calumny the assertion that it was. This has stimulated to the discovery of more of Jackson's autograph letters, and among the rest is this one to G. W. Campbell. It is still more ferocious than barbarous in style and composition. It has got wind among the friends of the Administration, and some of them are struggling to get it into light. It is evidently from the same hand as the note on the pamphlet sent to Force.

General Macomb called, and spoke of the appointment of a Professor of Philosophy at West Point, and earnestly recommended Lieutenant Courtnay. The General for the first time spoke to me of the political topics of the time, and avowed his own partiality for the present Administration. He has hitherto, so far as I have known, maintained an exemplary neutrality.

Mr. Rush came with a statement of funds in the Treasury, and an estimate of the payment on account of the public debt to be made on the 1st of July next, which he proposes shall be five millions of dollars of the principal. The estimate of revenue for the first and second quarters of the present year, and its present prospects, are of increase upon the receipts of the corresponding quarters last year. Mr. Rush said he should call a meeting of the Commissioners of the Sinking Fund, and expected the Vice-President would renew his proposition to drain the Treasury by a larger payment, which could not be made without exposing us to a deficiency, in the event of any sudden pressure or untoward accident, from which a hue and cry against the Administration could be raised. Mr. Rush read me another letter and resolution from the Retrenchment Committee, calling for a statement of the present organization of the Treasury Department, the duties of all the officers belonging to it, and other enquiries; to which Mr. Rush said no

other proper answer could be given than a reference to the laws.

21st. Mr. Baker, the Presbyterian minister, came with his son, a boy seven or eight years of age, to take leave of me previous to his departure for Savannah, to settle the interest of his two notes to me, and to give me earnest and affectionate advice for the salvation of my soul. He exhorted me particularly to believe in the doctrine of the atonement, which is to sound Presbyterians just what transubstantiation is to the Roman Catholics. I returned him Mr. Lewis Tappan's letter with thanks, but without giving him my opinion of it. Mr. Baker in his zeal means well, and with these clergymen who have the passion for making conversions it is an act of kindness to indulge them with the belief that they have the best of the argument.

Mr. Brent brought me from the Department of State several copies of the printed proclamation of the Treaty of 15th November, 1827, with the Creeks, which I communicated with message No. 8 to both Houses of Congress.

Mr. Bailey came to renew from Mr. John Appleton an application for permission to his son, Chargé d'Affaires at Stockholm, to come home upon leave of absence.

I told him that it could not be granted; that I had found it necessary, so far as depended upon me, to break up that practice into which our diplomatic officers abroad were falling, of coming home upon leave of absence. It was an affair of recent origin, first commenced by Jonathan Russell, who returned from Sweden in 1816, and since followed by Forsyth, Hughes, Anderson, and Everett. It was attended with great inconvenience to the public service, and I had declined granting permission to H. Middleton, A. H. Everett, J. M. Forbes, and B. T. Watts. I said it had never been the principle of our Government to consider the missions abroad as life establishments. Mr. Jefferson thought no American ought ever to be absent from home at European Courts more than five or six years at a time; and I recurred to his nomination in 1801 of Charles Pinckney as Minister Plenipotentiary to Spain, in place of David Humphreys, recalled on account of long absence from

the United States. I concurred in this principle so far as to think that when an American in the public service abroad is anxious to come home, he should come definitively, and I had adopted it as a general rule to grant no leave of absence.

Governor Barbour called, and left with me copies of General Jackson's letter to G. W. Campbell, written in September, 1812, and of a note subjoined by him to a letter from a man named Gordon, complaining that he had been stopped in travelling through the Indian country by Dinsmoor. The note repeats the declaration that if Dinsmoor should not be removed the citizens of West Tennessee will consume him in the flames of his Agency.

22d. Mr. Bell, the Senator from New Hampshire, called to converse with me upon subjects now under consideration of the Committee of Foreign Relations of the Senate. One was the appointment of Agents for managing the Northeastern Boundary question in the reference to the arbitrator. He had some suspicion of the project of the two Senators from Maine to pass an Act of Congress authorizing the appointment of Agents, as the Executive could appoint them without such authorization.

I told him that the step of the Senators from Maine had been taken with the concurrence and at the suggestion of Mr. Clay; that I was aware I could appoint Agents without special authority from Congress, but we were desirous of giving them a formal and legalized character—a mark of respect specially due to Mr. Gallatin, whom we wished to employ as one of them.

Mr. Bell said there had been a rumor that Mr. Gallatin was to be sent again as Minister to Great Britain; which I assured him was entirely without foundation.

Governor Barbour was here, and spoke of the resolution of the House of Representatives passed yesterday, calling ostensibly for some explanation of certain statements in T. L. McKenney's report to the Secretary of War of his late negotiation with the Creek Indians. But under this feint attack upon McKenney there was an amendment wedged into the resolution, calling for any correspondence concerning the im-

proper withholding of Indian passports; the object of which is to expose to public view the ferocious letter of General Jackson to G. W. Campbell, with all its sins of orthography and of syntax upon its head. The stratagem was believed to be necessary to get the resolution passed; for had the General's vassals in the House known of the existence of the letter, they would have voted down every attempt to produce it. Governor Barbour observed that besides the numerous unequivocal misspellings, such as goverment, solem, secratary, gurantee, reguard, &c., there were others probably, though not certainly, misspelt, and about which he was doubtful how to direct that the copy should be made. I advised that wherever it was doubtful the copy should always be made correct.

Governor Cass, of the Michigan Territory, paid me a visit, and spoke with much feeling of the aspect of political affairs.

Mr. Clay was here, and I mentioned to him that Governor Barbour proposed sending four companies of soldiers to the Northeastern frontier, for the protection of the inhabitants. Mr. Clay said the Senators from Maine had again been with him, and again urged the appointment of Mr. Preble.

I said, warmly, that I would not nominate Mr. Preble. I would nominate James Bridge, and I wished these gentlemen to know it.

Mr. Clay said it would perhaps be better not to inform them of this determination; and I acquiesced for the present. Mr. Clay recurred again to the appointment of a Minister to Great Britain, and we considered the relative claims of Mr. Rush, Governor Barbour, and Mr. Webster, all of whom are desirous of the appointment. Rush and Barbour really wish it as a shelter from the storm with which they are in fear of being overwhelmed; Webster wants it in the ardor of ambition. I told Mr. Clay I would wait till the close of the session of Congress to make the nomination. Mr. Clay urged also a nomination of a Minister to the republic of Colombia, and mentioned an imprudent movement of Tudor's to procure an application from the Peruvian Government to Great Britain and the United States for a joint mediation to protect Peru from the oppressive and usurping designs of Bolivar. I disapproved this project,

which I believed to be both unnecessary and impracticable; but I promised seriously to reflect upon the nomination of a Minister.

23d. I had an evening visit from R. P. Letcher, member of the House of Representatives from Kentucky, whose principal object was to recommend the nomination of George Robertson as Minister Plenipotentiary to the republic of Colombia. He said he had mentioned him to Mr. Clay, who had referred him to me. He also cautioned me against the appointment of any federalist to a distinguished office at this time. He anticipates a successful election of Governor and for the Legislature of Kentucky next August, and on the success of that election depends that of the subsequent November for Electors of President and Vice-President, not only in Kentucky, but in all the Northwestern States, and in New York. Letcher says they will carry Metcalf for Governor by a majority of eight thousand five hundred votes; but it is evident that the face of his hopes is much fairer than that of his expectations. Mine deceive me not.

24th. Colonel Dwight, member from Massachusetts, was here. He is a member of the Committee of Ways and Means, the Chairman of which, G. McDuffie, last week made a report to the House, which is a manifesto against the Administration, and especially against the last annual report of the Secretary of the Treasury. Dwight says McDuffie made this report without so much as ever reading it to the committee; that he (Dwight) disapproved of it in toto, and had expostulated with McDuffie for his course of proceeding in this matter, but to no purpose.

The three Seneca Indians came to take leave, and Governor Barbour came in while they were here. Red Jacket delivered a long talk, which was interpreted by Harry Johnson. The purport of it was to renew the solicitation that the lands reserved to the Seneca Indians in New York may not be taken away from them, nor they compelled to remove to Green Bay. With this was united a supplication that another Agent may be sent to them than Jasper Parish, against whom they complained bitterly. They charged him with having defrauded

them of great part of their annuity, of receiving money from their adversaries, and generally disregarding the interest of those whom he was bound to protect. They entreated that persons might be appointed to investigate these charges, which, they said, could easily be proved.

I told them I would cause an enquiry into them to be made, and would do whatever might be in my power for their relief. The Senate have declined advising the ratification of the last treaty of cession, in consequence of which I told them that I should not ratify it.

Governor Barbour spoke to me of the vacant mission to Great Britain as one which his friends had thought suitable for him, and which, he said, would be desirable to him, as he had a curiosity to visit Europe. But, he said, if I had any other arrangement in view he would not have his pretensions interpose for an instant to embarrass me, and he had a very sincere distrust of his own qualifications for the service. He thought a citizen of New York might be desirable, but, in the chaos of their politics, it would scarcely be possible to fix upon any one who would give satisfaction. Mr. Rush might perhaps be willing to return to London; but how would this operate upon his nomination as Vice-President? Mr. Webster perhaps the ablest man in the United States for the performance of the duties of the station; but what political effect the appointment would have might deserve consideration.

I told the Governor I should not make the appointment till towards the close of the session of Congress.

The Governor wished to have notice some time beforehand in the event of his being nominated, that he might have the opportunity to settle his private affairs.

I told him he should have seasonable notice of my conclusion.

25th. Sent message No. 7 to the House of Representatives, with a report from the Secretary of State, in answer to a resolution of 25th of February, calling for the instructions from the Confederation Congress to the Ministers who negotiated the definitive Treaty of Peace of 1783, and the correspondence with the British Government relating to the boundary. I

signed thirty-three commissions to navy officers, and nine land grants.

Mr. Southard, who has been some days unwell, called with a large budget of papers relating to business of the Navy Department. He proposed several measures to be taken for preserving from depredation the public lands in Florida covered with live-oak, but where great quantities of the wood are cut down and carried away by trespassers with and without pretensions of title, and particularly by claimants under the spurious title of Hackley. Mr. Southard proposed that the officers of the navy and the captains of the revenue cutters on the Southern stations should receive renewed instructions to keep a watchful lookout for the preservation of the growing wood from being pillaged, and that the Commissioners of the Land Office should reserve from sale the lands stocked with live-oak.

26th. General Biscoe, Surveyor at Nottingham, Maryland, came to say that he had heard Dr. Thornton was at the point of death, and that in the event of the vacancy in his office he wished his pretensions might be considered.

I asked him if he had much attended to the science of mechanics, a knowledge of which is necessary to a Superintendent of the Patent Office.

No; he must acknowledge he had not; but he had no doubt that with a very little application he could make himself master of the subject, and he wanted the office exceedingly; and then he told me of his large family, his services and losses in the late war, his loss by fire, and his great zeal in the cause of the present Administration.

Governor Barbour showed me a second letter that he had received from C. A. Wickliffe, one of the electioneering members of Congress from Kentucky, who divides his time between the propagation of slander upon me and the whitewashing of General Jackson. He wrote some time since to the Secretary of War asking for a list of the names of all the officers and soldiers executed by sentences of Courts-martial ever since the commencement of the war of independence.

Mr. Barbour answered him that as a member of Congress he should have access to all those documents, but that to furnish

statements of them at the call of an individual member was not usual, and must consume much time; but that by moving a call for them by a resolution of the House he could obtain them.

Wickliffe replies that he is averse to calls for papers by resolutions of the House; that he wants these papers to vindicate the reputation of a distinguished candidate and fellow-citizen, which has been assailed, and most earnestly entreats to be furnished with the statements. His aversion to calls by resolutions for papers is because he knows these would produce documents in no wise advantageous to his hero, and while opposing the calls moved by others he cannot with a very good grace move for them himself, and his earnest entreaty for these statements as a private individual is for the sake of having them refused, to use the refusal as a double topic of slander upon the Administration and of argumentative defence for his candidate.

Governor Barbour thought it would be best to furnish the statements that he requests, which, I observed, he might do, in consideration of the avowed motive to defend the character of General Jackson.

Mr. Clay was here, and spoke of interviews that he has recently had with Mr. Vaughan, Baron Krudener, and Baron Stackelberg, and of dispatches received from A. H. Everett, at Madrid, and from James Brown, at Paris. Mr. Vaughan was anxiously averse to the contemplated military movement on our part of stationing four companies of infantry on the borders of the disputed territory, and expressed a strong desire that this dispute might yet be adjusted by direct negotiation and without recourse to an arbitrator. He was also much concerned at the report of the joint committee of the Legislature of the State of Maine, which denies the right of the United States to submit to any arbitration the territories of the State. Mr. Clay had conferred on the subject of the arbitration with Baron Krudener. I informed him that the Emperor Nicholas would be named on our part; that we hoped he would accept the office; and a general idea of the subject of the controversy has been given by Mr. Clay to the Baron. His interviews with Baron Stackelberg have had reference to a question upon the construction of

an article in our last treaty with Sweden, made by the Norwegian Government. The latest dispatch received from Mr. Everett encloses a translation of a letter from the Spanish Minister of Foreign Affairs, declining the adjustment of the claims of our citizens to indemnity by a Convention. Mr. Brown's dispatch encloses a printed copy of the King of France's speech at the opening of the session of the Legislative Chambers, and mentions the prospects and purposes of the new French Ministry. The Minister of Foreign Affairs is a Count de la Ferronnaye, who has been the last seven years Ambassador in Russia, and whom I saw at St. Petersburg in 1813.

27th. In my walk this morning round the Capitol Square I found Mr. Foy there, and observed the approaches of spring vegetation. The oval cups at the ends of the fresh twigs of the horse-chestnut are opening into leaves. The snowy medlar is already showing a head of white blossoms. The roseate hue of the peach-blossom is just bursting out, and the scarlet maple is disclosing its first leaves. The evergreen of the cedar assumes a rusty hue. The balm of Gilead fir is unchanged, and the claw-pointed leaves of the holly take a new gloss. These trees, with the larch and the arbor vitæ, were pointed out to me by Mr. Foy.

George Watkins brought me from the Department of State a letter from Daniel Huguenin, Jr., of Oswego, a member of the last Congress, to Mr. Clay, respecting the state of intercourse between our people in that part of the State of New York and the British province of Upper Canada, and the answer which Mr. Clay has prepared to it. This intercourse is now favored by the British Government, and Mr. Huguenin wishes it may be equally favored by the Government of the United States. He thinks that a reciprocal renunciation of duties might be established by a proclamation of the President; but it would require an Act of Congress.

Governor Barbour was here, and mentioned that T. L. McKenney's report upon the Cherokee Constitution had, contrary to his intention and mine, been sent to the House of Representatives with my message. He also brought the letter of

General Jackson to G. W. Campbell, a copy of which is to be sent in answer to a call from the House of Representatives. In this letter the word Secretary is so spelt several times. But at one place half the word is torn out, being under the wafer with which the letter was sealed; it stands thus, S tary. Governor Barbour asked what should be done in the copy. I said I thought it should be copied exactly as it is, and a note given at the bottom of the page stating that part of the word was torn out. This letter, I have no doubt, will produce an explosion in the House of Representatives, and very probably some intemperate measure.

Governor Barbour enquired if there was not some improper passport in the case of the Indian Agent, Mitchell, dismissed after an investigation and upon a report of the Attorney-General in 1822. I found the document in the State papers of that year, Seventeenth Congress, first session, Senate papers No. 93, vol. xiii.; and Governor Barbour took a note of it, as it comes within the scope of the resolution of the House. He intends to report in part upon this call to-morrow, part of the documents required by it being so voluminous that, although four clerks are employed in making them out, they cannot be prepared in less time than a fortnight, and the members who contrived to obtain the call are extremely impatient to have the papers brought before the public. This exposure of the General's victories over the grammar and spelling-book has proceeded from the laudable zeal of his friends in their effort to appropriate to him Harry Lee's rhetorical figures at New Orleans, and from the judicious effort of H. L. White, the Senator, and Polk, the member of the House from Tennessee, to discredit the note published by Force in the National Journal, written by Jackson himself, on one of the Nashville whitewashing committee's pamphlets, and sent by him to Force.

28th. After my usual morning walk, I visited the garden, to observe the process of vegetation. On the Capitol Square I remarked the tulip-trees coming into leaf. The leaves come out in their peculiar shape—miniatures of their future and full-grown size. In the garden the peaches are in open blossom. The plums, all white, have not yet begun to open. The jon-

quil, yellow, and the periwinkle, blue, are the only flowers in bloom, and the shepherd's-purse weed. The lamium, or archangel plant, covers the ground. In my two seedling-beds I find only a part of the shagbarks that came up last summer alive, and only two or three of them show sign of life; but the self-planted wild cherries, some ten inches long, are covering themselves with leaves. The lilac is in full leaf, and its clusters of flowers are forming. My two apple-trees, which I raised from seed in pots last summer and transplanted to the garden in November, are alive, about four inches long, and have put forth leaves from their tops. None of the stones or seeds which I planted last summer yet appear.

Mr. Nourse, the Registrar of the Treasury, called after breakfast, and I requested him to furnish me with copies of all my accounts rendered at the Treasury, as well upon my missions in Europe from 1794 to 1801 as on those from 1809 to 1817, and of their vouchers; and also copies of the settled accounts of the other Ministers from the United States on the Mediation and Ghent mission. I asked him some questions respecting certain returns in the Treasurer's accounts, and also concerning the annual publication of the receipts and expenditures.

30th. Mr. Everett was here in the evening, and took the parallel statement I had drawn up of the allowances to Mr. Monroe upon his four simultaneous missions and those to me upon mine; also the remarks I had written upon them. I gave them entirely to his discretion. Everett said he had received a letter from Mr. Sprague, of Salem, enquiring if I was the author of a song against Mr. Jefferson, published in the Boston Gazette in the summer of 1802. He said Hill, of the New Hampshire Patriot, had published it in a handbill the very day of their recent election. This is another example of Jonathan Russell's achievements. It appears from a notice of a newspaper printed at Castine that the note in the pamphlet which so basely perverted the name and story of Martha was furnished by Jonathan Russell, and attempted to be published in that paper, and afterwards in the New York Enquirer, but was in both those cases rejected. Everett said he had heard that his exposure of the slander in Congress had been useful.

Everett says John Randolph told him he had always invariably discountenanced all these newspaper slanders. He thinks it, perhaps, an invasion of his province.

31st. Sleepless night, from the heat. But this day was chilly, with rain and hail. After my walk round the Capitol Square, I found in the garden the wall-flower and primrose and cress and lamium in flower. Ascertained the three trees just up, which were yesterday uncertain, to be apples, and found three more. The plum-trees are in full bloom, and look as with heads of snow. Ousley's budded double-blossom peaches are also in beautiful bloom. I renewed the fire in my chamber, and planted in seedling-pot No. 1 a post-oak acorn and several other nuts and seeds.

Mr. Blake, member of the House of Representatives from Indiana, introduced Mr. Rapp, the original German founder of the settlement of New Harmony, which he sold to Mr. Owen of Lanark. Rapp, with the Germans, removed to a place in Pennsylvania about fifteen miles from Pittsburg, where they have formed another settlement. He says that Owen gave him a hundred and fifty thousand dollars for the land and improvements at New Harmony; that he spent about a hundred thousand dollars more in making alterations, and that it will be a total loss to him; that the community is broken up; that Owen has sold to individual farmers almost the whole of his own property there, and that the remnants of the settlement are occupied by farmers who cultivate separately like other settlers their respective purchases. Owen himself has, however, recently returned there again, and is now there. Rapp and his Germans removed from their establishment on account of the unhealthiness of the place.

Mr. Walsh came to take leave, proposing to depart for Philadelphia to-morrow morning. He gave me what he intended as an explanation of his own course, as editor of the National Gazette, in relation to the approaching Presidential election. The paper avows a constant preference of me, and treats me universally with respect; but it discountenances all attacks upon the character and conduct of General Jackson, and classes under the general imputation of slander all allusion to any of

the censurable parts of his history. It exhibits constantly a hostile spirit to Mr. Clay, and very often under a show of candor has much more the appearance of a marked foe than of a friend to the Administration. Mr. Walsh seemed anxious to obtain my approbation of this system of editorial deportment.

I told him that whether he should as editor of a paper take any part, or lean to either side, in the election, was altogether for his consideration; but that the savage and profligate character of the war waged against the Administration, and personally against me, not only by the partisans and party newspapers of General Jackson, but by himself, could not be met by moderation and magnanimity; that his own course had given perhaps more dissatisfaction to my friends than to me; that the great objection to it was in its bearing upon his own character, laying him open to the suspicion and charge of insincerity.

He was very anxious to justify himself from this imputation; his argument was plausible, and evidently satisfactory to himself. But his real motives were disclosed in incidental remarks, of the bearing of which he did not appear to be at all aware. He warmly disclaimed asking or wishing anything for himself, and said that his editorial emoluments were so much more lucrative than anything that he could derive from the public service that there was no appointment that he could accept. This was not his language to A. H. Everett in the spring of 1825; but I suppose he believes what he says now. He distinctly told me that he had very great offers from the opposite party, and that he had resisted them, but he did not tell me by whom they were made, and what they were. Dr. Johnson somewhere comments upon great offers and sturdy rejections.

He said also that one-half the readers of his paper were of the opposite party; and I told him that this was the very fact upon which I had considered his course without displeasure.

He said also that he could have nothing in common with those in Philadelphia who plumed themselves upon being the special supporters of the Administration, and particularly with Binns. This I also understood before. Finally, Mr. Walsh

told me that talking yesterday with two of General Jackson's most distinguished supporters, he asked them whether, in the event of his election as President, he would have it in his power to carry into effect the principles of his recommendation to put down the monster party and let in the federalists to an equal share of power; and they answered that they thought he would not—at least not immediately. Walsh is personally friendly to me, from a congeniality of literary tastes and pursuits; but his vanity and his ambition warp him to the opposition, and perhaps his interest draws in the same direction.

Mr. Rush was here, having again been disappointed of forming a meeting of the Commissioners of the Sinking Fund by the discourtesy of the Vice-President, Calhoun. His pretence this day was that the Senate were in session. He had not even that on Saturday.

Day. My rising hour is later than in winter. With the single exception of last night, I have enjoyed the invaluable blessing of sound nightly sleep. I have risen between five and six; walked every day, except Sundays, round the Capitol Square; breakfast at nine A.M., dine at five P.M.; spend the interval with a succession of visitors, and in reading letters, the daily journals, and papers of public business; pass from one to two hours after dinner with my wife in her chamber, to which she is almost entirely confined by ill health; the remainder of the evening, writing in my own chamber. My health is not good. My spirits sustain me, and my occupations leave no time to hang heavy on my hands. With employment for the day and sleep for the night, life is a perpetual charm.

April 1st. Mr. Bell, Senator from New Hampshire, came to say that he thought the best nomination for District Attorney in that State would be Mr. Christie. He also intimated an apprehension that there would be danger of much obloquy to the Administration in the event of the appointment of Mr. Webster as Minister to Great Britain. He said he had within these few days perceived that the opposition were very desirous that he should be nominated, and Cobb had said that if he should not be he would go with them. Mr. Bell said that Colonel McNeill had applied to him for aid to obtain the appointment

of Brigadier-General in the event of the nomination of Scott or Gaines as Major-General and the resignation of the other. But, Mr. Bell said, he hoped and believed the office of Major-General would be abolished, and he had recently heard accounts not very favorable of Colonel McNeill's political propensities.

Governor Barbour told me that in printing the letter from General Jackson to George W. Campbell, sent last week to the House of Representatives, Gales and Seaton have corrected all the spelling, which they say is according to an established rule in the printing of all public documents.

Jeremy Robinson came to renew his application for employment, and brought me several justificatory and apologetic certificates and recommendations from some members of Congress and other respectable persons. The perseverance of this man is proof against any rebuff, and there is so much meekness in his endurance, and so much calmness in his fortitude, that he takes hold of my compassion when he can never recover my esteem. He wishes to be Superintendent of the Patent Office, or anything that will give him some of the crumbs that fall from the public table.

Mr. Clay was here, and read me a letter from Mr. Niederstetter, the Prussian Chargé d'Affaires, complaining of Mr. Joseph Hopkinson, as having committed a violation of his diplomatic privileges by writing him insulting letters. The correspondence related to certain pictures to which the Prince Royal of Prussia, as patronizing the artist who painted them, had some claim, and Mr. Niederstetter acted as his agent. The pictures were at the house of the Academy of Fine Arts at Philadelphia, of which Mr. Hopkinson is President. The correspondence concerning the pictures had become so acrimonious that Niederstetter wrote the directors declining further communication with Hopkinson and asking it through any other person. Hopkinson then wrote him a very offensive letter—that of which he now complains. I thought it manifested more anger than wisdom, and a lack not only of respect for the representative character of Mr. Niederstetter, but of the courtesy due to a stranger imperfectly conversant with our language. What provocation may have been given by the previous correspondence does not appear,

and, however we may regret such an altercation, we have no means of affording redress.

Mr. Clay said he had also been in conference with Baron Stackelberg, upon the question raised in Norway on the construction of an article in the recently concluded treaty, where the tonnage duties are granted according to the distance of the voyage performed. Mr. Clay thinks Stackelberg not sure of the precise operation of the Norwegian regulations himself, and requested him to write him a note upon the subject. Niederstetter has received a full power to negotiate a commercial treaty on the principle of reciprocity. Mr. Clay mentioned also an instruction to W. Tudor to remonstrate against an ordinance of the Brazilian Government requiring our vessels at Montevideo to give bonds not to go to Buenos Ayres; and Tudor is instructed, if necessary, to state to the Brazilian Government that our naval officers would be instructed to resist it. I said the threat might be held out, but before giving the instruction to the naval officers the authority must perhaps be asked from Congress.

2d. After breakfast, Mr. Butman, a member of the House of Representatives from Maine, called, and had a long conversation with me upon the troublesome question of our Eastern boundary. He spoke of the report of S. B. Barrell's having had a very unfavorable effect upon the popularity of the Administration in Maine, and of the exertions made by the opposition to make an instrument of this controversy against the Administration. He particularly referred to the proceedings of the two Senators from Maine, Chandler and Parris, to engross to themselves the credit of all that the Administration has done in support of this interest, and to represent the Administration itself and its friends as cold or lukewarm in the cause. They have, it seems, obtained from the Secretary at War a letter to them signifying that the four companies of troops to be stationed on the borders of the State are to be sent *there* at their request. They have acted without consulting the members of the delegation from Maine in the House; and Butman said that he and Mr. Sprague thought it desirable that a larger force than four companies should be sent.

I said I should readily agree to increase the detachment if the other dispositions of our small military force could be accommodated to it. I desired him to consult with the Secretary of War on the subject, and to communicate freely with me concerning it at all times.

3d. Governor Barbour was here twice. First, to enquire if I had done with the papers which he had left with me the day before yesterday. I had not entirely, but returned him the extract and copy of Crowell's letter, advising that the copy should be sent to the House, rather than the extract. Secondly, with a letter from Silas Dinsmoor, requesting an exact copy of the letter from General Jackson to G. W. Campbell concerning him, which has been communicated to the House of Representatives. Dinsmoor claims it of right, and I told Governor Barbour that I thought it could not be denied him. Dinsmoor says that he was the victim of that letter, but was never allowed to have a copy of it. The correction of the spelling in the document printed by order of the House of Representatives has taken off much of the effect expected by those who procured the call of the House to produce it, and the rage of the myrmidons is venting itself upon Governor Barbour, because the document comes from the Department of War. The claim to search the records came first from the partisans of General Jackson, and was first complied with in their favor. But when granted to his adversaries, all the floodgates of ribaldry are opened upon the Secretary for treating both parties alike.

Mr. Rush was here, and read to me the answer that he has prepared to the call from the Retrenchment Committee, requiring a statement of the duties performed by the Secretary of the Treasury, and by the officers of the several establishments subordinate to that Department, of which there are ten—two Comptrollers, five Auditors, Registrar, Treasurer, and Commissioner of the General Land Office. Mr. Rush has again called a meeting of the Commissioners of the Sinking Fund for Saturday morning. The Attorney-General having returned from Baltimore, the meeting may be held without depending upon the presence of the Vice-President.

4th. Mr. Tracy, a member of the House of Representatives from New York, came to enquire if a pardon could be obtained for a young man at New Orleans, sentenced to ten years' imprisonment for stealing from the mail—a youth of respectable family and connections, of good character until he sank under this temptation, and who has already suffered from two to three years of the penalty.

I told Mr. Tracy that any representation which might be made to me in behalf of this person would be cheerfully received and deliberately considered, but that I was bound to tell him that I had in no instance pardoned the offence of stealing from the mail. I gave him for this rigor the same reasons that I had assigned in a similar case to Mr. Bell, of Tennessee: the great aggravation of the crime; its pernicious consequences to society; the multitude of persons exposed at all times, and in every part of the country, to the temptation of committing it; the immense amount of property always exposed to such depredation, and the defenceless condition in which it always must be. I considered the severity of the law as the only protection to the public interest, and if I should yield to the relaxation of it in one instance I should be compelled to extend it to many others, till it would operate as a virtual repeal of the punishment, and as a license to the spoiler. I said that the remission of punishments was among the most pleasing exercises of power, and that I could never refuse to grant a pardon upon petition without denying myself a gratification, but it was required by an overruling sense of duty, and, without knowing what the particular circumstances of this case are, I could give no encouragement to expect that I shall deem it consistent with my duty to grant the pardon.

Mr. Clay was here, and spoke of a note from the Spanish Chargé d'Affaires, Tacon, enclosing a complaint from Governor Vivés, of Cuba, that a merchant vessel of the Havanna, taken by a Mexican privateer, and pursued for recapture by a Spanish frigate, had found a refuge at Key West, and was said to be refitting there to escape. I thought it deserved consideration whether Congress should not enact a law prohibiting all privateers and their prizes from entering that port.

5th. Mr. Rush came, and mentioned that he had at last succeeded this morning in holding a meeting of the Commissioners of the Sinking Fund, where Vice-President Calhoun attended, and where the resolution for paying off five millions of principal of the public debt on the 1st of July next was adopted without opposition. Mr. Rush spoke also of a call from the Committee of Ways and Means for information how the accounts of the public receipts and expenditures, and other revenue laws, would be affected by a general appropriation for the first quarter of 1829. Mr. Rush found the subject so complicated that he felt much embarrassed how to answer it.

I thought that the appropriation need not in any manner affect the accounts of receipts and expenditures, nor the annual report on the finances, nor any other operation of the revenue, and it would be sufficient to say so in the Act making the appropriation for the quarter.

Mr. Rush was engaged in drawing his lottery of the certificates of the loan of 1814, to be paid off next July, which shortened our discussion upon this point.

Governor Barbour brought an application from the members of the delegation from Maine in the House of Representatives, and from Mr. Parris, one of the Senators, requesting an addition of two companies to the troops ordered to the Houlton Plantation. Governor Barbour said Mr. Parris had privately told him that, although he had signed the application, he should be satisfied with the four companies already ordered there. The other Senator, General Chandler, declined signing the new application. Governor Barbour brought also a budget of papers relating to the Cherokee Indians removed into the Territory of Arkansas, and the summary of the question to be considered, drawn up by Mr. McKenney. The Governor said he had distressing accounts from his plantation, where a pestilential fever had broken out among his slaves. Three of them were dead, and a number more dangerously ill.

Mr. Edward Livingston, a member of the House of Representatives from Louisiana, brought an application signed by several of the citizens of New Orleans for a pardon for Auguste Chicot, now in prison there, upon execution at the suit of the

United States. As there was a long statement of facts by the prisoner, I promised Mr. Livingston to take the case into consideration.

7th. Governor Barbour brought me a report and documents, in answer to the resolution of the House of Representatives of the 22d of last month, relating to the treaty with the Creek Indians of 15th November last. He took back the papers he had left with me relating to the claim of the Cherokee Indians, removed into the Territory of Arkansas, to more lands. I told him that, from the inspection of the papers, I thought they had already more than they had any right to claim. They were to receive acre for acre of the lands which they ceded in North Carolina, Tennessee, Alabama, and Georgia. They have already received upwards of four millions of acres, while the surveys and estimates returned from the four States in which the lands relinquished by them are situated amount to little more than three millions. Mr. McKenney's report supposed that there was a part of their ceded lands still not estimated nor surveyed. But that requires further explanation.

With regard to the request from the delegation of Maine, that a force additional to the four companies ordered to the Houlton Plantation should be sent there, Governor Barbour proposed to answer that two more companies should be sent in the course of the summer; to which I assented.

Mr. Clay was here, and mentioned that he was preparing a draft of a treaty with Prussia. He said that Mr. Niederstetter had finally acquiesced in the answer given to his complaint against Mr. Hopkinson—that this Government had no power to interfere in obtaining redress for the harsh treatment of Mr. Hopkinson towards him.

Mr. Clay spoke of the Roman Catholic clergyman from Vincennes, Chambonier, as a person of whom it was desirable that some notice should be taken; and he mentioned that he had a letter recommending that, in the event of the vacancy in the Treasurer's Office, Mr. Savage, now the Chief Justice of the Supreme Court of New York, should be appointed to it—or rather the arrangement desired by Judge Thompson was that Mr. Anderson, the First Comptroller, should be appointed

Treasurer and Mr. Savage Comptroller; but this would, perhaps, not be practicable. There was also something said of the appointment of a Major-General. Mr. Clay favors Scott.

8th. Mr. Knight, Senator from Rhode Island, called upon me after breakfast, and asked me if I had seen his resolution for taking possession of Canada, amicably if we can, forcibly if we must. I answered, somewhat surprised, that I had not. He explained that he had offered his resolution while the Senate were upon the consideration of Executive business; and it was, that a proposal should be made to the British Government to cede to them all our territory westward of the Rocky Mountains in exchange for Upper Canada. I said the principal question was whether Great Britain would incline to accept this offer. He said that remark had been made by Mr. Tazewell. He informed me also that he should decline a re-election to the Senate, and that there was a multitude of candidates to supply his place.

Mr. De Graff introduced Mr. Duane, a young man, grandson of the former member of Congress, afterwards Mayor of New York and United States District Judge. De Graff said that he himself was a Jackson man, but only so because that was the temper of his district, and that Mr. Duane was not.

I said, whatever his opinions might be, I was glad to see a grandson of Judge Duane.

Mr. Southard enquired of the instructions to be given to Commodore Biddle respecting the Brazilian decree requiring bonds to be given for vessels departing from Montevideo. I told him that Mr. Tudor had been instructed to state, if necessary, to the Brazilian Government that our naval officers would be authorized to resist it; perhaps this notice might supersede the necessity of resistance. The instructions now to be given to Commodore Biddle would be to disregard the decree in everything short of hostile conflict, and, if that should fail, the authority of Congress would be asked for the use of force.

He spoke of the letter he had sent me proposing the nomination of four captains, six masters-commandant, and ten lieutenants in the navy. I desired him to send me the nominations. He mentioned the application of Dr. Heerman for a sword,

upon the strength of an old resolution of Congress, that swords should be presented to officers who should be designated by Commodore Preble as having distinguished themselves at the attack upon Tripoli in 1804. Preble never designated the officers, and has long been dead. But Heerman was with him, a surgeon in the navy, at the attack, where he thinks he distinguished himself, and claims therefor a sword.

I thought it was too late.

Mr. Southard told me that the object of the Retrenchment Committee in obtaining the power of searching for persons and papers was to examine William Brown, a clerk in the Department of State, about the payment of money from the contingent fund to Daniel Pope Cook, upon my certificate, and with a view to hold it up as money paid for his vote on the Presidential election.

Mr. Clay was here, and spoke of another note which he had this day received from Mr. Rebello, complaining of the arrival at New York of a prize to the privateer recently arrived at Baltimore, and protesting against her being allowed to refit in our ports. Mr. Clay had written to the Collector at Baltimore directing that the privateer should not be permitted to increase her force within our jurisdiction, and proposed writing to the Collector at New York to confine the prize to the reparation of sea damages.

Mr. Southard came a second time, about four o'clock, to say that a messenger from Commodore Barron, at Norfolk, had come with tidings that a son of Commodore Rodgers, and two other midshipmen, named Harrison and Slidell, were drowned by the sinking of a boat in a sudden squall last Saturday. A fourth, named Hunter, was barely saved.

I wrote this evening with a heavy heart.

9th. This morning I walked before sunrise. The weather continuing cold; hoar-frost on the ground, and all the vegetation showing marks of being frost-bitten. The leaves of the horse-chestnut particularly, which had unfolded, appear scorched as if by fire. The plants in the garden were powdered with the frost, and the verdure of the fields is faded.

After breakfast, Mr. Culpepper, a member of the House from

North Carolina, introduced a constituent of his, named Thomas Davis, who has been many years a mail contractor; has been twice to Mexico, and brought back mules; wishes now to go there a third time; but as the Camanche and Blackfoot Indians, and even the Mexican creoles themselves, are apt, after selling you their mules, to steal them and sell them to you again, he wished to take a number of men with him, merely for purposes of self-defence; and he wanted permission from me.

I referred him to the Department of State for a passport, and told him it was all the authority I could give him. He could take as many men with him as he pleased, and might take passports at the Department for them all.

Davis told me he was a Jackson man himself, but that his father, his father-in-law, and all his family were warm supporters of the Administration.

10th. Of the twenty-nine visitors received this day, seven were upon business of various kinds, but all of very subordinate importance. This continual bustle and incessant change of objects that occupy the mind is oppressive upon the spirits, and very fatiguing. It has, however, the advantage of preserving me from brooding over cares and anxieties which beset my path, as at this time. It is the transition from this tempestuous gale to the calm of solitude and dereliction which I am to expect as one of the severe trials that await me. But, in looking forward to the prospects whether of public or of private life, without an interposition of Providence which it were absurd in me to expect, I am reduced to wish myself the end of Agricola, to be spared the agony of witnessing the futurity before me.

11th. Governor Barbour called for a decision upon the application of the Arkansas Cherokee Indians. Westward of the spot on which they are located is a large tract which goes by the name of Lovely's Purchase. When they went there it was unsettled, and Mr. Monroe, in a talk, and Mr. Calhoun, in a letter, in 1820 and 1821, gave them expectation that it would be reserved from settlement for the purpose of affording them an outlet to the West. But the white people have discovered that the land is excellent, and they are swarming thither like

bees. They are covering it with unlicensed settlements, and the people of the territory are loudly claiming that the land should be offered for sale. This collision between the just and reasonable demands of our own people and the pledge seemingly given to the Indians is very embarrassing, and it is scarcely imaginable that within so recent a period the President and Secretary of War should have assumed so unwarranted an authority and have given so inconsiderate a pledge. I observed, however, to Governor Barbour that, as the pledge in its utmost extent assured to the Indians only an outlet, or, in other words, a right of way, they might be informed that in the grants of the lands upon Lovely's Purchase a right of peaceful way would be reserved for them.

Mr. Southard and Mr. Wirt came together, and presented a question upon the Act of Congress of 1819 for the suppression of the slave-trade, which involves the legality of all Executive proceedings in the case of the Africans lately landed at Key West from the stranded Spanish vessel fleeing from the pursuit of a British armed vessel, and who have since been transferred to St. Augustine, in Florida. The Act of 3d March, 1819, is a penal statute, all the provisions of which are directed against citizens or residents of the United States participating in that traffic, or against the unlawful introduction of slaves into the United States. In this case the Africans were landed from a wreck of a foreign vessel to save their lives. No unlawful attempt was made to introduce them into the United States. No citizen or resident of the United States appears to have had any concern in the transaction, so far as the slave-trade was intended by it, and the provisions of the law do in no respect apply to it.

Mr. Southard said that Mr. Berrien, the Senator from Georgia, supporting some claim for the bounty promised by the third section of the Act of 3d March, 1819, in the case of negroes brought in the Spanish ship Ramirez, under circumstances partly similar to those of this case, insisted that the claim to the bounty, though in this Act confined to the Africans found in vessels of the United States slave-trading, was yet extended, by the other Acts against the slave-trade, to all negroes, however

introduced into the country; but it appeared to me that this argument could not be sustained.

We concluded that it would be necessary to propose a supplementary Act of Congress.

12th. Immediately after breakfast, Mr. Hendricks, Senator from Indiana, Barnard, Dickinson, and Van Rensselaer, members of the House from New York, Barney, from Maryland, and Vance, of Ohio, came, most earnestly to recommend William H. Harrison, now a Senator from Ohio, for the appointment of Major-General. The Senate yesterday, by a vote of twenty-six to twenty, rejected the proposition to abolish the office. Mr. Seymour, a Senator from Vermont, called, and spoke of the appointment of Major-General, appearing inclined to favor the views of General Harrison.

General Chandler and Mr. Parris, the two Senators from Maine, came, and delivered me a letter from themselves, with recommendations signed by five members from the State in the House of Representatives, by all the members of the Executive Council, and a majority of the members of both branches of the State Legislature, in favor of William Pitt Preble, one of the Judges of the Supreme Court of the State, and an inveterate and open-mouthed opponent of the Administration. These recommendations are made in language unjust and offensive towards the Administration, accompanied by repeated and solemn protestations against the right of the General Government to submit the question to any arbitrator at all, and a groundless charge, in general terms, that the agents of the General Government heretofore have not given full effect to the title of the State to the controverted territory.

I told the Senators that I would give respectful consideration to the recommendations, and expressed to them much regret at the gross misrepresentations which had been made in the State to produce alienation and distrust among the people of the State of Maine against the Administration of the General Government; and I spoke of the unwarranted letter of Mr. Bagot to Mr. Barclay, of 8th December, 1818, and the use recently made of it in newspaper publications in the State, to impute to me a concession of the right of the province of New Brunswick

to exercise jurisdiction within the contested territory, when it was merely an inference of Bagot himself, directly contrary to the tenor of my observations to him.

There was some conversation upon the merits of the Boundary question, and we looked over the copy of Mitchell's map which belongs to the Department of State. Mr. Parris appeared to think that much of the strength of our claim depended upon the location of the northwest angle of Nova Scotia, and that this could not reasonably be controverted.

Mr. Clay and Governor Barbour were here together. They mentioned the necessity of making now a nomination of a Major-General. Scott, Gaines, Macomb, and Harrison were all slightly mentioned, each of whom has strong pretensions, and upon whichever of the four the choice may be fixed, there will be great clamor from the friends of all the others, and from the adversaries of the Administration generally. Mr. Clay said that if Gaines should be appointed he could not serve with him. He alluded to a personal insult offered him about three years since, by Lieutenant Butler, Gaines's aid, in his presence, and in the antechamber to my cabinet. They happened to meet there—Mr. Clay coming in as they, with General Brown, were going out. General Brown introduced Butler to Mr. Clay, who offered Butler his hand, which Butler passed on without receiving; General Gaines made some slight apology for this rudeness of Butler, which Mr. Clay forbore further to notice, but which has remained upon his memory.

I told him that I should under no circumstances whatever nominate General Gaines. But there are so many difficulties besetting the measure that I propose to take the opinion of the members of the Administration concerning it, and requested a meeting at one o'clock on Monday to consider it.

Mr. Lee came, and took back two papers that he had left with me, showing allowances to Major Anderson, of New York, similar to those claimed by Amos Binney. He says Binney told him he should very willingly go to Congress with his claim if he had not been born north of the river Potomac. He has too much reason for the distrust implied by this remark.

Colonel Roberdeau was here, and we conversed upon the project for resuming the survey of the coast.

14th. General Gaines came, and left with me two letters from himself, one to me dated the 12th instant, containing a sensible and well-written argument against the practice of duelling; the other dated 8th October, 1826, and addressed to the Adjutant-General, and requesting the official information to be found in his office respecting the campaign of the force under his (Gaines's) command in 1814. These papers I read after the General retired, and I had no conversation with him concerning them. But he recurred to his double claim as senior officer of the army to assume the actual command from the time of the decease of General Brown, and to the vacant appointment of Major-General. He expressed some anxiety that this appointment should be forthwith made, and added that if it should be delayed he would ask a furlough for a short time; and he intimated that his continuance in the army would depend upon his receiving the appointment of Major-General.

I did not think it necessary to notice either of these remarks, though I thought them neither seasonable nor delicate. He told me he had been informed that a representation had been made to me that he had spoken of me in disrespectful terms; this, he said, was entirely without foundation. He had a strong personal attachment to General Jackson, but had never spoken otherwise than respectfully of me.

I told him that I had never heard it otherwise imputed to him, and assured him that, whatever my final determination with regard to the nomination might be, I should suffer no consideration personal to myself to have any influence whatever upon my decision.

The Cabinet meeting was from one till past four o'clock. I said that the number of candidates for this appointment with pretensions so nearly equal, and the high importance of the appointment itself, had induced me to consult the members of the Administration before coming to my decision. The four candidates are Generals Macomb, Scott, Gaines, and W. H. Harrison, now a Senator from Ohio. All their claims were canvassed, their merits critically scanned, their defects freely

noticed, and their comparative pretensions weighed. They so nearly balanced one another that every member of the Administration had much difficulty in coming to a decided preference. Mr. Clay, Governor Barbour, Mr. Southard, and Mr. Wirt finally and somewhat indecisively joined their voices in favor of Scott; Mr. Rush more positively preferring Macomb, with which my own opinion concurred.

I attributed the preference of Scott to a feeling of which these gentlemen were probably themselves not conscious—the Virginian sympathy. Mr. Clay had also Western biases inclining him towards Harrison; but he would not allow that Gaines was from Tennessee, or that Tennessee was a Western State. There was not one voice for Gaines. He and Scott have both made themselves obnoxious by continual acts of insubordination and contempt of the civil authority. Their controversy for rank and precedency has been carried on by both not only with rancor but with indecency. And Scott, after challenging Gaines to fight him in a duel, avails himself of that act, and of Gaines's declining to receive the challenge, as matter to sustain him, and glories in the open and undisguised violation of the Articles of War, as if that was to be taken as argument in his favor. A great objection to Scott in my mind is, that the choice of him would cancel all his outrages upon the discipline of the army, while it would bear heavily as punishment upon those of Gaines, of the same character and occasion. Gaines's letter against duelling is well written and well reasoned, but in the midst of his argument against the practice he obscurely hints that if Scott should be appointed Major-General he will fight him.

There was not time for discussing the question concerning the Africans landed at Key West and thence transported to St. Augustine. Another meeting was therefore fixed for one o'clock on Wednesday.

15th. Governor Barbour brought me from General Macomb a copy of the letter of the Secretary of War, Calhoun, written by him at the reduction of the army in 1823, and a letter of General Jessup, now written at Macomb's request, and stating the circumstances under which Macomb accepted the office of

Chief Engineer with a reduction of his rank. I had already sent message No. 26 to the Senate with nominations, and among them Macomb's name for the appointment of Major-General. In carrying these messages, my son John, after having delivered that to the House, was passing through the rotunda with that to the Senate, when he was personally assaulted and struck in the face by Russell Jarvis, one of the printers of the Senate. He returned the blow, and an affray between them was arrested by the interference of persons who were accidentally there. The origin of this outrage was, that Jarvis came to the last drawing-room, and my son, indignant at seeing here a man who lives by the detail of daily slander upon me, said to Mr. Stetson that if Jarvis had the feelings of a gentleman he would not show himself here. This was on the 2d of the month. On the 8th, Jarvis wrote a note to John, stating that he had learned that while he was here on the Wednesday before he had spoken of him disrespectfully. He sent this note by a man named McLean, who, he said, would receive any explanations. John repeated to McLean what he had said, declined giving any written answer, and said he would hold no correspondence with Jarvis. This day Jarvis followed him out from the House of Representatives, came up to him from behind, accosted him by name, asked him if he had given him his final answer, and, upon John's answering that he had, struck him on the face and retreated back, so that John could only strike at him in return before they were separated. The whole scene was witnessed by William Emmons, of Boston, by Clement Dorsey, a member of the House from Maryland, with another person from Prince George's County, and by Colonel Gardner, of the post-office, who said that Jarvis was right. Of all this I heard nothing till the evening. Mr. Everett called here in the evening, and spoke of the assassin's attack upon my son at the Capitol while he was in the discharge of a public duty. I had heard nothing of it before. Mr. Everett related the circumstances as he had heard them, and enquired whether I should propose to make any communication to Congress concerning it. I said I should not immediately. The transaction occurred immediately under the notice of both Houses

of Congress, and within the walls of their own building. It seemed to me it was rather their affair than mine to act upon it, and I should prefer that they would act, setting aside every consideration personal either to me or to my son. Under this Congress it is doubtful whether any remedy for such brutalities will be found, short of being provided with arms for self-defence.

16th. Mr. McLean, the Postmaster-General, came, and informed me that he was now under the necessity of removing Richard Bache from the office of postmaster at Philadelphia, and that he proposed to appoint Thomas Sergeant in his place. He said he had seen and conversed with Mr. John Sergeant on the subject, and that he thought the appointment would be generally acceptable. He said that one of his motives for making this appointment was, that T. Sergeant having married Bache's sister, the loss of the office would be somewhat mitigated to Bache himself. His decisive reason for removing Bache is, that, after having brought up the large arrears of his debt to the Government, he has now fallen afresh into delinquency.

There was a short Cabinet meeting at one o'clock, the result of which was a determination that a message should be sent to Congress recommending a supplementary Act to that of 3d March, 1819, authorizing the President of the United States to send to Africa persons taken from vessels of the United States unlawfully engaged in the slave-trade. The opinion was unanimous that the law as now existing limits the power of the President to the disposal of persons imported into the United States in violation of the laws against the slave-trade. I desired Mr. Rush to send me copies of the papers relating to the negroes landed at Key West from the stranded Spanish prize-ship and since transferred to St. Augustine. These papers it will be necessary to send to Congress with the message.

Mr. Rush and Governor Barbour afterwards came, and observed that the members of the Administration all thought it would be proper to send a message to Congress concerning the assault upon my son John yesterday in the Capitol. They proposed to meet to-morrow morning here at eleven o'clock to consider of it; to which I agreed.

We had this evening the tenth drawing-room, which was fully attended. I asked Mr. Dorsey, who was present at the assault upon my son yesterday, for a conversation with him at his leisure, to have a statement of the facts from him, as he witnessed them. He said he would, but proposed to postpone it until he should have made the statement requested of him by Mr. Archer and Colonel Drayton, professedly with the purpose of making some movement in the House of Representatives concerning it. Mr. Foote, of the Senate, said if the affair was not noticed in the House of Representatives, he should notice it in the Senate to-morrow.

General Gaines was at the drawing-room, and there was much animadversion upon the nomination of General Macomb as Major-General of the army.

17th. Mr. Clay and Mr. Rush came at ten o'clock; Governor Barbour, Mr. Southard, and Mr. Wirt, at eleven. I had prepared a draft of a short message to Congress upon the outrage on my son. But, from the personal feeling which might be supposed to affect me on this occasion, Mr. Clay had also made a draft, which he read, and which I adopted, with the alteration of a few words. The two drafts were indeed substantially the same. The question was discussed whether a message should be sent, and, if so, at what time. My own impression had been to wait, and see if the subject would not be taken up by one or the other House of Congress, and, if it should, to make no communication at all. Mr. Clay, however, was of opinion that a message should at all events be sent, and immediately. The act was of the most dangerous character as an example. It had a tendency to introduce assassination into the Capitol. It might be practised for the robbery of a confidential message between the Executive and the Legislature. It was indeed too probable that in the present disposition of both Houses of Congress they might do nothing to remedy the evil; but there was a duty for the Executive to discharge independent of what Congress might do—to maintain his own dignity and security in the performance of his functions. He understood that the two parties in Congress were hesitating what they should do in this case, and distrustful of each other. He felt assured that nothing would

be done unless the responsibility should be put upon them by a message. The very forbearance to send one would be used as an argument for doing nothing. A motion would be referred to a committee, which would make a partial report, perverting the facts, and giving the wrong to the previous offensive remark of my son. The House of Representatives had now no member in it with weight of character to lead them in any prepared direction without some external impulse. Forbearance on the part of the Executive was laudable, but might be carried to an extreme. The other members of the Administration concurred in these views, and I acquiesced in them. Mr. Wirt only thought there would be more calmness of dignity in passing the transaction without notice; but he, too, finally yielded his opinion.

I mentioned that I had informed Mr. Everett that it was not my intention to send a message, at least immediately; and it was possible that the message might come unfavorably if a resolution should have been already offered in the House. I concluded, therefore, to send the message by Mr. Brent, and Mr. Clay went previously up to the Capitol, to be there when the message should arrive—to determine, according to the circumstances, whether the message should be delivered or not. Mr. Clay afterwards returned, and informed me that by his direction Mr. Brent had delivered the message; that Mr. Everett was not in the House, and that nothing had been moved in the House upon the subject; that Mr. Johnston, of the Senate, had informed him that nothing had been done there; but that was a mistake, as Mr. Foote had offered a resolution for a Committee of Enquiry, with power to send for persons and papers.

We had at the meeting some conversation upon the nomination for Major-General, which, as I have expected, has produced great dissatisfaction among all the partisans of the three disappointed candidates. Mr. Clay, who was in favor of Scott, is much annoyed with censures upon this selection, and a little hurt that the candidate of his preference was not chosen. He thinks that the office will be abolished. His own health continues so bad that he spoke again this day of the proba-

bility of his own resignation. I believe it inevitable, and likely to take place very soon.

18th. Governor Barbour called, with the Ontario Messenger, a newspaper published in the western part of the State of New York. It contained a statement made by persons sent by the authority of the Government of New York into the Territory of Arkansas in pursuit of three persons suspected as accomplices in the murder of Morgan. The statement charges Colonel Cummins, commandant of the post at Cantonment Towson, with having collusively facilitated the escape of a man named King, acting as sutler to the troops, and the most deeply implicated of them all in the suspicion of the murder. It is even asserted that Colonel Cummins denied the authority of the Secretary of War to give the instruction with which the pursuers had been furnished, ordering him to give all the aid in his power to detect and arrest the suspected culprits. This order had been given the last autumn, at the request of the late Governor Clinton. The Governor had received this newspaper yesterday, and another copy of it had been forwarded to me. He said he had immediately written to the publisher of the paper, and to the person by whom the statement was made, asking further particulars relating to the allegations against Colonel Cummins. This I approved, and advised that a copy of the statement should be sent to Colonel Cummins himself, and that he should be called upon to defend himself against the allegations it contains.

I gave Governor Barbour the resolution of the Senate respecting the removal of the Indian Agency from Fort Wayne, which, he said, was a matter of altercation between the Senators from Indiana.

Mr. Webster was here afterwards, and informed me of the proceedings of both Houses upon the message which I sent them yesterday. In the House of Representatives it was referred to a select committee—McDuffie, Gorham, P. P. Barbour, Oakley, Bell of Tennessee, Ingersoll, and Ripley—four opposition men, two friends, and one supposed to be neutral, but really hostile. In the Senate, after a debate several times resumed, Mr. Foote's resolution and the message were both

laid on the table; on the alleged ground of waiting to ascertain what will be done in the House. The vote was taken by yeas and nays, and was a party vote—twenty-four and twenty-two, Mr. Parris and Mr. Sanford voting with the opposition, and thereby constituting the majority, and Smith of Maryland, Smith of South Carolina, and McLane voting with the friends of the Administration. Russell Jarvis sent in a memorial or petition representing the origin of his attack, in his own manner, and attempting a justification of it.

Mr. Webster says that the only opposition member of the Senate who in debate admitted that the outrage was unjustifiable was Mr. Macon. Our servants attended the fair this evening, and heard threats of personal violence to my son John openly avowed by a man said to be a Dr. Hagan. My wife and his wife are both much alarmed. I will not be so myself without more unequivocal indications of danger.

19th. Absalom Baker is an old Revolutionary soldier, who comes from the State of Illinois soliciting a pension of the Government and contributions from individuals. While he was here, Mr. Hayne, the Senator from South Carolina, came to introduce Judge Davis, from Columbia, in that State. The old soldier was lame from honorable wounds, but he became so loquacious and so self-important in his patriotic dogmatism that I was obliged to call him out of my chamber and furnish him with motives for going away. Mr. Hayne and Mr. Davis made a short visit. Mr. Bell, Senator from New Hampshire, was here, and conversed with me on various political topics—the nomination of General Macomb as Major-General, and the dissatisfaction it has given to General Harrison and to his friends, particularly of the Ohio and Indiana delegations. He said he was aware that no other of the four candidates could have been appointed without producing still greater excitement and dissatisfaction. He thought the choice upon which I had fixed was the best; but he believed if the question of abolishing the office of Major-General should come again before the Senate it would prevail. A resolution to that effect had been moved in the House of Representatives by Lewis Williams immediately after the death of General Brown. Since the

nomination of Macomb it has been brought forward again, and may very possibly pass in the House. It would now have the appearance of a censure both upon Macomb and his nomination; but the same disposition would have been aroused, though in other individuals, by the nomination of either of the other competitors; and to the measure itself, whether adopted or rejected, I attach little importance.

Mr. Bell spoke also of the appointment of a Minister to Great Britain, and was very anxious that it might be delayed until the next session of Congress. He mentioned also the proceedings in the Senate upon my message relating to the assault of Russell Jarvis upon my Secretary, and thinks that the opposition party will, for the sake of their own credit, do something to manifest their disapprobation of his conduct.

I have no belief that they will. They brought him here for the purpose of assassination, and they cannot punish him for laboring in the vocation to which they called him.

My son received this day a letter from Mr. McDuffie, Chairman of the committee of the House of Representatives upon my message, requesting his attendance before the committee next Monday morning.

Mr. Rush was here, and mentioned that General S. Smith, the Chairman of the committee of the Senate upon finance, had called on him this morning, and, with professions of friendship, read him the report he was about to make for the committee to the Senate upon the finances. It sustains altogether the views of Mr. Rush's annual report, and so far counteracts the report of the Committee of Ways and Means to the House of Representatives, made by Mr. McDuffie, and which was throughout a violent and uncandid attack upon Mr. Rush's report.

21st. George Watkins, from the Department of State, came for a note from the Mexican Minister, Mr. Obregon, complaining of the seizure at Key West of a prize to a Mexican privateer carried in there. Mr. Clay afterwards called, and we had some conversation concerning it. The prize had been so much damaged in the capture that she could not depart from the port without repairs, and those repairs could not be made without selling a part of the cargo to pay for them. The question is,

whether this can be allowed consistently with the laws of neutrality.

Mr. Clay said he could find no authority to the point, and that having accidentally seen Mr. Webster, he had enquired of him if he had recollected any such case; but he did not. The seizure by the Collector had been upon the charge that the vessel which made the prize had been fitted out in our own ports. And Mr. Obregon's note complains especially and repeatedly that when the seizure was made the Mexican flag was hauled down. I found in Wheaton upon Captures some remarks on a case nearly resembling this, but not identically the same.

Mr. Clay mentioned also his negotiation with the Prussian Chargé d'Affaires, Niederstetter, with whom some question has arisen with regard to two articles of the projected treaty: one, upon the free-ships-free-goods principle; and the other, upon the definition of blockade. With regard to the first, Mr. Niederstetter was not authorized to agree to the limitation by which the principle of free ships free goods should be recognized only in cases when the enemy of the belligerent acknowledges the same; and it is doubtful whether the Senate would advise to the ratification of the article without the limitation.

I said the article might be postponed for further consideration, as had been done in the Treaty of 1798.

Mr. Clay spoke likewise of his conferences with Baron Krudener, the Russian Minister, concerning the proposal on our part to refer the question of our Northeastern boundary to the arbitration of the Emperor Nicholas. The Baron thinks the Emperor would accept, though with reluctance, the task of arbitrator, but said he might perhaps accept on condition that the parties should previously make a last effort to adjust the dispute by direct negotiation between the parties themselves—an idea with which I was much pleased.

22d. Mr. Fendall and Mr. Brent came, from the Department of State, concerning the several copies of Mitchell's map belonging there, and for which I had sent. Fendall spoke of the report of the committee of the House of Representatives upon the expenditures of the Department of State, which proposes

withholding in future the appropriations for additions to the library.

Governor Barbour came, still perplexed with the claims of the Arkansas Cherokee Indians. Mr. Sevier, the delegate from the Territory, earnestly remonstrates against the projected treaty, by which a portion of lands westward of the Territory should be assigned to them for their permanent and final residence, giving them an enlarged space to settle upon—more in quantity than in quality—while Mr. Cobb and the other Southern proprietors are extremely anxious to have the treaty concluded.

I proposed that by the means of friendly Senators we should ascertain in what light they would consider that project, and whether it would probably receive the advice of the Senate to the ratification.

Mr. Butman, member of the House of Representatives from Maine, came to speak of an appointment of an Agent for the prosecution of the Northeastern Boundary question. He explained to me as well as he could how it happened that Mr. Sprague and J. F. Wingate signed the recommendation of Judge Preble; and finally Butman himself thought it would be best to appoint him.

Mr. Clay called concerning the draft of a commercial treaty with Prussia that he had prepared. It consisted of fourteen articles, chiefly relating to the system of equalizing duties, with one article re-postponing the question of free ships free goods, but omitting all the maritime articles of the two former treaties.

I recommended to Mr. Clay to insert one additional article, reviving all those of the former treaties which present circumstances render still useful. I observed that they might be all inserted in a single article, enumerating each of them by numbers. I thought the abandonment of all those articles would manifest an indifference to them which would be industriously used against us, and it would multiply the diversities of our treaties with different powers, while our policy is to assimilate as much as possible our obligatory treaties together.

I sent message to the House of Representatives No. 10, with copy of an opinion of the Attorney-General upon the

award of the Emperor Alexander on the Slave Indemnity question.

John was told by Mr. Gorham that the committee on my message would summon him again before them, at the demand of Russell Jarvis, who claimed the right of cross-examining him.

23d. Walk round the Square alone. Garden visit. No new appearance of vegetation among my trees. A seventh apple-seed came up in my seedling-pot No. 2. My son John received a note from G. McDuffie, Chairman of the committee on my message, informing him that there seemed to be a discrepancy between the statement delivered by him to the committee and the testimony of some of the witnesses produced by Mr. Jarvis; that the committee would sit this morning till nine o'clock, and he (John) was at liberty to attend and cross-examine the witnesses if he saw fit. John went to the Capitol accordingly before nine, but the committee had adjourned; and Mr. McDuffie said he would give John notice when they should meet again.

Mr. De Graff, member of the House from New York, introduced two of his constituents, Child and Sherwood, a very extensive mail contractor. De Graff again lamented the necessity he was under of being an opposition man, and said they should not catch him again; by which I understood that he knows he will not be re-elected.

24th. Mr. Chambers, the Senator from Maryland, called to have some conversation with me upon public affairs. He expressed much solicitude respecting the appointment of a Minister to Great Britain, and, although entertaining a very high opinion of Mr. Webster, thought that the appointment of him would be inexpedient, both as to the political effect and because his removal would be an irreparable loss in the Senate.

Mr. Clay came with a draft of an article for the treaty with Prussia, renewing most of the articles of the last treaty. He also told me that the state of his health was such that he should be compelled to resign his office. It was becoming impossible for him to discharge its duties, and he could not consent to hold an office without discharging its duties. He

mentioned it now, that I might have time to make provision to supply his place before the close of the session of Congress. His good wishes for the success of the Administration would be as warm as if he had remained a member of it. But his weakness was constantly increasing. A relaxation from public duties was indispensable, and he must go home and die or get better. His disorder is a general decay of the vital powers, a paralytic torpidity and numbness, which began at the lower extremity of his left limb, and, from the foot, has gradually risen up the leg, and now approaches to the hip.

I told him that his communication was of the most painful character to me; that I would still hope he might, as the spring advanced, find himself so much better as to continue in the office, and, while preparing for the contingency of his resignation should he persist in thinking it unavoidable, I wished him to take some days for consideration if a more cheering expedient might not be embraced.

Governor Barbour and Mr. Southard were here together. The Governor has concluded, after consulting with several friendly members of the Senate, to make his treaty with the Arkansas Cherokees. Both the Governor and Mr. Southard spoke of the condition of Mr. Clay's health, and Mr. Southard said he doubted whether he would live a month longer.

I do not think his case so desperate; but there can be no doubt that a temporary relaxation from public duties can alone save his life and give him a possible prospect of recovery. Mr. Letcher, of Kentucky, was here in the evening, and made remarks to the same effect. This is in every point of view a disastrous occurrence, and is among those of deep humiliation which are thickening around me.

25th. My son John was called again this morning before the committee of the House of Representatives upon my message relating to the attack upon him. Jarvis was offered at his option a hearing before the committee or at the bar of the House. He claimed the hearing before the committee by counsel, and his associate of the Telegraph, Duff Green, was admitted as such. By him my son was this morning very closely cross-examined.

The object of Mr. Woodcock's visit was to say to me that great apprehensions were entertained that Mr. Webster would be nominated as Minister to Great Britain, and that the political effect of his appointment would be ruinous to the cause of the Administration in New Hampshire, in Maine, and in New York.

Mr. Dorsey mentioned that he had abstained from calling on me and conversing with me upon the outrage committed upon my son John at the Capitol, which he witnessed. He told me now all the circumstances relating to it; and he declares that my son's conduct was as spirited and manly as it could be. Mr. Dorsey had made his statement to the committee, but is to be examined before them again, and to undergo a cross-examination.

Messrs. Rush, Clay, and Southard were here together. Mr. Rush left with me a bundle of papers relating to reciprocal complaints against each other of W. Pinkney, Collector of the customs at Key West, and of Captain Doane, of the revenue cutter Marion, and relating to the seizure of a prize to a Mexican brig of war. He had also an account of Judge Smith, of East Florida, and one of his clerk, for acting two years as Commissioner and Clerk in examining the cases of complaint by Spanish subjects for wrongs suffered by them during General Jackson's invasion of Florida in the Seminole War. Mr. Rush thinks there should be a limitation of time to the reception of these complaints, and that the account of the Judge runs up almost to extravagance.

Mr. Southard had sent me a budget of dispatches received from Commodore Biddle. Mr. Clay mentioned a conference he had just had with Mr. Niederstetter, the Prussian Chargé d'Affaires, in which he had consented to revive the articles from twelve to twenty-four inclusive of the Treaty of 1798, and the article twelve of the Treaty of 1785, but said he had no instructions authorizing him to revive the article abolishing private war upon the ocean.

26th. George Watkins came from Mr. Clay and left with me a note from Mr. Niederstetter to Mr. Clay accepting the article to revive sundry articles of the former treaties, and proposing

the insertion of the eighteenth article of our late treaty with Sweden, respecting blockades.

I received a note from Mr. Everett enquiring what sum of money had been paid to Daniel Pope Cook for his Agency to the island of Cuba. I sent for Mr. Daniel Brent, and requested him to furnish me copies of all the papers relating to that Agency, with that of my certificate relating to the payment. I mentioned to Mr. Everett the amount of money paid to Mr. Cook, and that there was probably a small balance due to his estate.

He asked if it might be mentioned to the committee. I said, if it was probable the report of the committee would allude to this transaction in a way to reflect upon the memory of Mr. Cook, it might be mentioned; for if such an attempt should be made in the report of the committee, I should feel it a duty to his memory to make the fact public by a communication to the House.

Mr. Lowrie, the Secretary of the Senate, brought me three resolutions of that body: two, calling for an immense mass of information from the Registrars and Receivers of the Land Offices, and from the Marshals of the States and Territories where there are public lands on sale—to be laid before the Senate at their next session; the third was the confirmation of the nominations last sent in, excepting that of Major-General, and a few others.

Dr. Huntt was here. I spoke to him of the health of Mr. Clay. He says that Mr. Clay's disorder does not threaten life; that the torpid numbness which is creeping upwards from his feet is a neuralgia—nervous, and not paralytic; that Dr. Chapman, to whom he described the symptoms, is of the same opinion concerning it with himself; but that Mr. Clay must have a relaxation from severe public duties, tranquillity, abstemious diet, air, and exercise.

Mr. Clay himself called immediately after Huntt had left me. The treaty with Prussia is in preparation. I agreed to Mr. Niederstetter's proposal to introduce into it the eighteenth article of our last treaty with Sweden, concerning blockades. Mr. Clay was desirous of introducing a more precise definition

of blockades; but Niederstetter cannot venture upon it without instructions.

I told Mr. Clay that I had reflected upon his tender of his resignation, and hoped he would reconsider it. I mentioned to him Dr. Huntt's opinion of his case, and proposed to him to take an excursion of a few weeks, or even months, leaving the current duties of the Department of State to be performed by the Chief Clerk, Mr. Brent; and with regard to those duties of a more important character which may occur, I said I would give my own attention to them, and, if necessary, would remain here the whole summer for that purpose.

He appeared disposed to make this trial, and said he thought of going next week to Philadelphia to consult Doctors Physick and Chapman upon his case. He said he had little hope of surviving, and had so made up his mind as to set but little value upon life. With regard to the political effect of his resigning, he scarcely knew what it would be. If it should tend in some parts of the country to relax the exertions of our friends, it would perhaps abate the virulence of opposition in other quarters.

I told him it was my wish to set aside all consideration of political effect in this matter. His life and his health should be paramount to all other considerations. If he had made up his mind philosophically to estimate life itself at a low value, I had made up mine to a much lower estimate of political life. I was prepared for whatever might ensue, and, like him, could not foresee what might be the effect of his withdrawing from the Administration. It would be exceedingly painful to me to part with him, as I had fondly hoped we should continue together at least until the close of my present term of service; yet, if it should be indispensable for the restoration of his health, I would look exclusively to that.

He received with much feeling of gratification these remarks, and said that the interest manifested by his friends in his present situation deeply affected him. He said he had received this morning another testimonial of it, for which he was profoundly grateful. Some of his friends had conjectured that pecuniary embarrassments in his private concerns contributed to the

present unhappy state of his health, and they had met and made up a sum of money, the use of which they had offered him for his relief. Their impression, however, had been erroneous. He was not free from debt; but there was nothing in the state of his affairs which required this assistance, and he had accordingly declined their offer.

Governor Barbour called, chiefly to speak of Mr. Clay, and to suggest precisely the proposal which I had made to him and he had accepted, of trying the effect of a temporary relaxation from public business before taking his final determination to resign.

27th. Dr. Huntt called on me this morning, and said he had seen Mr. Clay. He persists in the opinion that his complaints are not immediately threatening to life, and that they are entirely under the control of medical treatment. He has again advised him to go as soon as practicable to Philadelphia and consult Doctors Physick and Chapman; and he urges, as indispensable, tranquillity, relaxation from public cares, and a severely abstemious regimen.

28th. After the morning walk, visiting the garden, I found in the eastern seedling-bed that a tree which had shown itself last week, but which I did not then know, was a white oak. I fix, therefore, on the last week in April for the appearance in this climate of oaks from the acorn planted the preceding autumn. I afterwards visited the western enclosure, and discovered there several oaks, from the acorns planted by Mr. Foy last November. There are also a few peaches, cherries, plums, apricots, and the rows of apples planted last month by Antoine, coming up.

Mr. Rush and Mr. Clay were here together. Mr. Rush brought papers relating to the seizure at Key West of a prize to a Mexican armed brig, and mutual complaints against each other of the Collector at Key West, Mr. Pinkney, and the captain of the revenue cutter Marion, Doane.

Mr. Clay mentioned notes that he had received from the Mexican Minister, Obregon, and from the Spanish Chargé d'Affaires, Tacon, each claiming the restoration of this prize; also a note from him to the Swedish Chargé d'Affaires, Baron

Stackelberg, concerning the construction of an article of the recent treaty with Sweden, in its application to Norway.

29th. Found in the eastern seedling-bed in the garden an oak coming up from the battle-ground acorns planted on the 20th of last October. I afterwards visited the western enclosure or nursery, and found, upon examination, that a number of the acorns which I had planted with Foy round its northern border were coming up. These were planted 9th November last. Of those planted some days later on the other borders, none yet appear.

I had this day twenty-eight visitors. Mr. Lowrie, the Secretary of the Senate, brought me the Treaty of Limits with Mexico, and a resolution of the Senate advising and consenting to its ratification.

Mr. Rush was here, and sent me a correspondence between H. Pinkney, Collector at Key West, and the Spanish Admiral, La Borde, on the Mexican privateers and their prizes, which have taken refuge at that island; also a letter from Governor Edwards, of Illinois, applying for twelve sections of land in addition to twenty-four already set off as a donation from Congress to the State, three or four years since.

Lieutenant Farley has been for some time soliciting a furlough to visit Europe. He has now obtained it, but finds a difficulty in availing himself of it for want of funds. He came to enquire if he could not be employed as a bearer of dispatches; but there is no occasion to employ any one upon that service at present. Lieutenant Farley is a West Point scholar, and has a great talent for drawing, of which he showed me several specimens.

Governor Barbour mentioned that he had concluded to make a new treaty with the Arkansas Cherokee Indians. Having consulted several members of the Senate, he has no doubt that it will receive the sanction of that body, and he thinks it will be much opposed by no one in Congress except the delegate from the Territory of Arkansas, Sevier.

Dr. Watkins called, and spoke to me of a project which Mr. Southard had mentioned to me yesterday—which was, that he (Watkins) should purchase of P. Force the establishment of the

National Journal, resign his office of Fourth Auditor of the Treasury, and devote himself entirely to the editing of the paper. Force has been unfortunate with it, and has neither funds nor credit to sustain it any longer. The Doctor thinks he can procure funds at Baltimore for the purchase, and that he can make it far more profitable than his office of Auditor.

I could give no advice upon the subject, but I told Dr. Watkins I thought it would be a safe speculation for him. For in the event of the success of the election, the paper would certainly be supported, and in the event of its failure, he would certainly be dismissed from his office—of which, he said, he was perfectly aware.

Mr. Clay was occupied with notes from Mr. Rebello, the Brazilian Chargé d'Affaires, and from Mr. Obregon, the Mexican Minister, to both of which he is replying. He read me a letter from J. J. Crittenden, in Kentucky, full of encouraging expectations, and one from Edward Ingersoll, at Philadelphia, in deep discomfiture at the appointment of T. Sergeant as Postmaster at Philadelphia. This flood of visitors is crazing.

30th. I omitted mentioning the application yesterday of Jeremy Robinson, renewed, for compensation for old services, and for employment under the Government again. He now brought a recommendatory letter from Mr. Monroe, the late President, addressed to Colonel R. M. Johnson, of the Senate. This letter he obtained by a visit to Mr. Monroe, at his seat in Loudoun County, last week. He repeated to me for the fiftieth time all the allegations of his claims, and, after listening to him near an hour, I said he knew that more than three years since I had nominated him to the Senate as Consul at Rio de Janeiro, and the nomination had been confirmed by the Senate; that his commission had been made and signed, and ready to be delivered to him—when it was withheld in consequence of remonstrances from persons of respectable character at Salem, charging him with misconduct in trusts committed to him by them. He had been informed that until those transactions should be satisfactorily explained no office under the Government of the United States could be conferred upon him. This satisfactory explanation had not been given, and, in this

state of things, renewed solicitations on his part were but a useless waste of time.

He thanked me for the candor of this declaration, and said he should proceed to act according to my advice. D. J. Pearce told me when he dined here last Monday that Robinson told him that I had given him an office worth nothing, which he had therefore declined. He said Robinson had also assured him that Mr. Monroe had been desirous of the appointment of Major-General, and that the ladies of the family had told him they needed it to procure the common necessaries of life.

This morning I walked round the Square alone. Governor Barbour brought me the draft of the treaty prepared to be concluded with the Arkansas Cherokees now here. He said they were desirous of having an interview with me before they went home, and I agreed to receive them this day at one o'clock. But Mr. McKenney afterwards wrote me that two of them were unwell, and they wished the meeting with me to be postponed until to-morrow.

May 1st. Mr. Clay was here twice. He had prepared answers to notes from Mr. Obregon, the Mexican Minister, and from Mr. Rebello, the Brazilian Chargé d'Affaires. He postpones his departure for Philadelphia till Sunday, that he may in the mean time sign the treaty with Prussia. He spoke with great earnestness of the nomination to be made of a Minister to Great Britain, and urged anew the wishes and pretensions of Governor Barbour, and the nomination of a citizen of New York to the office of Secretary of War. All the friends of the Administration are agreed that the political effect of the appointment of Mr. Webster would be very unfavorable. The secret of Governor Barbour's anxiety to go to England is to save himself from the wreck. Mr. Rush has the same desire, and it is not inoperative upon Mr. Clay's recent propensities to resign. As the rage of the tempest increases and the chances grow desperate, each one will take care of himself. I know not that I could do better than gratify Governor Barbour, who has rendered faithful service to the country, and whose integrity and honor are unsullied. In my own political downfall I am

bound to involve unnecessarily none of my friends. Mr. Clay thinks that the appointment of Governor Barbour would not have a bad political effect upon the Administration. In this he is greatly mistaken. The effect will be violent, and probably decisive. But why should I require men to sacrifice themselves for me?

Mr. Southard, the Secretary of the Navy, was also twice here. He wishes to appoint a commander of the squadron upon the eastern coast of South America, to relieve Commodore James Biddle, who must now come home. He mentioned Captain Creighton; but I thought it better to consider further before fixing upon him. He wants judgment and discretion.

At one o'clock the Arkansas Cherokee Indians came, with the Agent, Duval, and their interpreter, James Rogers. I had a talk with them, in which the Black Fox was the speaker on their part. I told them it was my desire to do everything for them in my power, and I particularly hoped that the treaty prepared to be signed by the Secretary of War and them would be satisfactory to them. I referred particularly to the promises made to them by Mr. Monroe and Mr. Calhoun in 1819, and assured them that we should take every proper measure for giving them substantial effect.

The Black Fox, after expressing his thanks to the Great Spirit for the opportunity afforded him and his brothers of the deputation to hold a talk with their Great Father, listened to all that I said, and then observed that he wished to answer it, not in a hasty manner, but to have time to consider it; to which I readily agreed, and said I wished them to take all the time they could desire, and frankly to let me know all that they thought, and all that they wanted. George Guess is the inventor of the Cherokee alphabet, by which, I told him, he had rendered a great service to his nation, in opening to them a new fountain of knowledge.

I found afterwards that he had sent me a copy of this alphabet, with a letter intimating that it was thought the United States ought to give him a gratuity of six thousand dollars for his invention.

2d. Mr. Lowrie, the Secretary of the Senate, brought me three resolutions of that body: the advice and consent to the ratification of the Treaty of Commerce with Mexico; advice and consent to the ratification of the treaty with the Eel River Indians, with exception of the fourth article; and a resolution requesting information respecting a supposed reduction of impost duties by the Government of Brazil.

Mr. G. S. Bourne came to renew his pitiable supplications for an appointment. I told him that there was no vacancy that I knew of to which he could be appointed. He asked if he was to consider this as a notice that he was not to expect anything hereafter. I said it would be better if he should, particularly as I had found by experience that he construed into promise every the slightest expression of kindness. He thanked me for my candor.

Mr. Bell, a Senator from New Hampshire, came to take leave. He is called suddenly and most inopportunely home to his brother, who is suddenly afflicted with a severe and dangerous illness. Mr. Bell repeated the advice to leave the mission to Great Britain open till the next session of Congress.

Governor Barbour came, and mentioned a resolution of the Senate in their Executive capacity, calling for the confidential inspection returns relating to the characters of the officers of the army. He thought it had been instigated by Colonel Wool, the Inspector-General, whom he thinks ambitious of having his reports laid before the Senate. The Governor was annoyed also by base newspaper paragraphs, and by a baser insinuation published by Polk, one of the members of the House of Representatives from Tennessee, charging him with suppressing a document relating to the case of the six militiamen—a letter from Willie Blount, then Governor of Tennessee, not found in the War Department, nor in the archives of the Government of Tennessee, but of which Blount has given a certified copy from his private files, and which is so in opposition to the whole tenor of his other correspondence with the Department at that time, that Governor Barbour firmly believes it to be a fabrication, and that, although now certified by Blount, it was in fact never written by him. Governor

Barbour told me that he was going for two or three days into Virginia.

General Macomb called to make his acknowledgments on my nomination of him to the office of Major-General. The House of Representatives, however, have passed a resolution to abolish the office, and there is a bill now before them for that purpose.

4th. Mr. John Sergeant called, and had with me two hours of conversation upon the recent appointment of his half-brother, Thomas Sergeant, as Postmaster at Philadelphia, an incident which has given extreme dissatisfaction to the friends of the Administration there, and in which the Postmaster-General has dealt disingenuously with John Sergeant and with me. Sergeant mentioned also the preparations for a report making by the Chairman of the Retrenchment Committee, of which he is a member. They are baited with venom against the Administration, and all the labors of the majority of the committee have been directed to gather fact and suspicion to implicate the heads of the Departments, and to deprive them of the means of removing suspicions and of vindicating the truth. They have been taking depositions relating to the moneys paid to Daniel Pope Cook; but when Mr. Clay offered to make them a confidential communication of the service upon which he was employed, they passed a resolution declining to receive it. I told Sergeant that if the report of the committee should reflect upon the memory of Cook, I would send a message to the House stating the circumstances under which he was employed.

At four o'clock P.M. I attended the funeral of the late Treasurer, T. T. Tucker; he was buried from the house of Mr. Dashiell, where he had resided. Mr. Ringgold, the Marshal, rode with me to the Eastern Branch burying-yard, where the interment took place. Mr. Hawley read the church service, and Dr. Laurie made a short prayer. The procession was not large. Most of the officers of the Treasury attended, and Mr. Rush and Mr. Southard were there. It was past six in the evening when I got home.

Mr. Sprague, a member of the House of Representatives

from Maine, who spoke of the appointment of Agents for the Northeastern Boundary question, and of a Postmaster at Portland. He made an apology for having signed the recommendation in favor of W. P. Preble as one of the Agents. I told him that I had concluded to nominate him, and to make the sacrifice of my own opinions and feelings.

5th. The trees from nuts planted last autumn in the southern seedling-bed of the garden appear to be all black walnuts. No appearance yet of oaks, chestnuts, or shagbarks there—only two oaks in the eastern seedling-bed. The vegetation is most free in the nursery. There, eighty-two trees show themselves along the northern border, three along the western border, none as yet along the southern or eastern borders. Peaches, plums, apricots, apples, pears, and cherries are scattered round the beds, mostly self-planted; and with them are a number of oaks. All have suffered, and I fear many have been destroyed, by the hail-storm on Saturday, which broke and lacerated piteously most of their tender leaves. This is the second enemy through which my infant plantation has had to run the gauntlet. The first was sharp frost almost throughout the month of April. In the yard only one oak yet appears.

Mr. Lawrence and Mr. Wilson, members of the House of Representatives, came and recommended Mr. Clark, lately Treasurer of the State of Pennsylvania, for the appointment of Treasurer of the United States. Mr. Mallary, member of the House from Vermont, recommended Mr. Temple for the same office. Mr. Rush was here twice. He spoke favorably of Dickins, who was also here himself, and earnest in his solicitations. Mr. Rush, however, thought the most suitable appointment would be John Savage.

Mr. Van Buren, Senator from New York, introduced a Mr. Miller of that State, travelling homeward from the South. Mr. Allen, a member from Massachusetts, introduced a young man named Brigham. Mr. Crowninshield called, at the desire of Mr. Dorsey, to recommend his son-in-law for the office of Chief Clerk to the Treasurer. William Lee came for the papers relating to Amos Binney's claims, which I gave him, and he read me a letter from Seth Hunt, in Alabama; all upon

electioneering politics. Mr. Brent came concerning the treaty just signed with Prussia, and sent me a copy of Mr. Niederstetter's full power. Governor Barbour called, and I gave him a letter from the Lieutenant-Governor of New York, Pitcher, with documents annexed implicating the conduct of two officers of the army—Hyde and Colquhoun—charged with refusing to obey an order from the Secretary of War directing them to give all assistance in their power to arrest a man named King, under suspicion as an accomplice in the murder of William Morgan. King was a sutler in the army. Governor De Witt Clinton had sent two special agents to the Territory of Arkansas to demand the arrest and delivery over of King. Governor Izard, of Arkansas, had furnished them with an order to that effect, but by the prevarication and connivance of these officers King made his escape. I requested Governor Barbour to order immediately the arrest of the two officers, and to try them by a Court-martial.

Governor Barbour read to me a testy letter and resolution of the Retrenchment Committee, demanding his reasons for sending them some statements of expenditures in the War Department under his predecessor.

6th. Mr. Vance, a member from the State of Ohio, came to recommend the appointment of General Harrison as Minister to the republic of Colombia. This person's thirst for lucrative office is absolutely rabid. Vice-President, Major-General of the army, Minister to Colombia—for each of these places he has been this very session as hot in pursuit as a hound on the scent of a hare. He is a *Bavard* of a lively and active, but shallow mind, a political adventurer, not without talents, but self-sufficient, vain, and indiscreet. He has, withal, a faculty of making friends, and is incessantly importuning them for their influence in his favor. The Ohio delegation are all warmly interested in his favor, and so are those of Indiana, and part of those of Kentucky. Vance pleaded for him most earnestly, and against George Robertson, who is urged vehemently by R. P. Letcher, and the friendly portion of the Kentucky delegation.

I told Mr. Vance that I had not yet determined to make any

appointment of a Minister to Colombia, not being entirely satisfied that such an appointment is necessary.

Mr. Thomas, the Senator from Illinois, called to speak upon the subject of the Tariff bill, now before the Senate, and the fate of which is uncertain. The professed object of the bill is the protection of domestic manufacturers, but there is compounded with it taxation peculiarly oppressive upon New England. The Senate are so nearly divided upon the bill that its passage will probably depend upon the votes of the members from Massachusetts. Mr. Thomas thinks it will depend entirely upon Mr. Webster, and, considering his vote as doubtful, came to intimate a wish to me that I would interpose to fix his indecision.

Mr. Webster called, and spoke of the appointment of a Minister to Colombia, and recommended General Harrison. He had also a letter from New York respecting the two officers at Cantonment Towson, charged with having disobeyed the order of the Secretary of War and favored the escape of the sutler, King, from the pursuit of the peace officers sent by the Governor of New York to arrest him. The letter expressed an earnest wish that the movement of this Government for the punishment of these officers should be prompt and vigorous. I told Mr. Webster that orders had already been issued for the arrest of the officers and their trial by a Court-martial.

I took a ride of about an hour this morning on horseback with my son John. I have concluded to try the experiment of this mode of exercise for the restoration of my health, which continues drooping. I was fatigued and agitated by it far more than I had expected. The heat of the day was very oppressive—my thermometers at 81; and I found myself under such extreme lassitude through the greater part of the day that I was unable either to write or read.

7th. Mr. McLean, the Postmaster-General, came upon a subject which is giving him and me great trouble—the recent appointment of a Postmaster at Philadelphia. My diary of 16th April shows how this was effected. Mr. McLean went to Mr. John Sergeant and told him he had concluded to remove R. Bache, and asked if his brother would accept the office. John Sergeant answered that he did not know, and desired time to

consult him. The Postmaster-General could not allow delay. Sergeant could not put a negative upon the offer of a lucrative office to his brother, and told him that he was well qualified for the office, and had for some years taken no part in politics. Mr. McLean then came to me; told me of his having already been to Mr. John Sergeant, who was desirous that his brother should be appointed, and had assured him that the appointment would be acceptable to all parties. By this statement he obtained my consent to the appointment, and a letter was written to him and dispatched by a special messenger the same day—though it seems his commission was not sent; and Mr. McLean this day said he believed the commission was not yet sent. But the appointment when known in Philadelphia produced an instantaneous and most violent fermentation among the friends of the Administration, and probably a fatal shock to the popularity of John Sergeant, who was supposed to have solicited the appointment for his brother. The conduct of the Postmaster-General in this affair has been very severely censured in three successive articles of the Democratic Press, and in the paper of Saturday last an article of two columns arraigns him before the public in terms which he has thought required him to come forth in his own defence. Mr. McLean read to me a paper which he told me he had prepared to publish in a newspaper to-morrow. The article in the Democratic Press charges him with neglect of his official duties in not sooner removing the late Postmaster, Richard Bache, and with deep and treacherous intrigue in effecting the appointment of Thomas Sergeant. The paper which he read to me was a defence upon both the points, and with regard to the default of Bache he justifies himself sufficiently—at least so far as to show that, in declining to remove him heretofore, he had acted with my concurrence. But in repelling the charge of intrigue and treachery to effect the appointment of T. Sergeant, he said that Mr. J. Sergeant had not solicited the office for his brother, but that he (McLean) had fixed upon him of his own motion, without any recommendation.

I told Mr. McLean that I had not read the article in the Democratic Press; but that among the rumors circulated

among the friends of the Administration at Philadelphia it was asserted that Mr. Ingham had recommended T. Sergeant, and that his commission had been sent to G. M. Dallas; and that the deportment of these two men towards the Administration, and personally towards myself, made them singular counsellors for appointments to office under me.

He acknowledged that these persons were very hostile to the Administration, and admitted, with some embarrassment, that some time since he observed to Mr. Ingham that he should perhaps be under the necessity of removing the Postmaster at Philadelphia, and would wish to appoint a person fully qualified in every respect, and who belonged to, and would be obnoxious to, no party; and Mr. Ingham said he did not know where he would find such a man, unless he took Tom Sergeant. But Mr. McLean said he did not consider this as a recommendation, and had not been influenced by it to the appointment; that he had not sent Mr. Sergeant's letter of appointment to Mr. Dallas, but had written to Mr. Dallas, both as a near relative of Bache and as a lawyer, to secure the funds in Bache's hands, so that there might be no loss to the public.

I then said that as the commission to T. Sergeant had not been sent, I wished him to retain it for the present; that a full, effective, and bonâ fide examination of the transactions relating to the establishment and recent transfer of the Franklin Gazette would be necessary; and particularly whether S. D. Ingham, G. M. Dallas, and T. Sergeant, or either of them, have, or ever had, any pecuniary interest, direct or indirect, in it. The Gazette was first established as an adversary and rival to the Democratic Press. It was established ostensibly by Richard Bache, at a large expense, at a time when he was personally insolvent, and a defaulter as Postmaster, to the amount of many thousand dollars. It was afterwards commonly rumored that T. Sergeant, Ingham, and Dallas were all interested in the property of the paper. The establishment has lately been sold, the Democratic Press alleges, under a pledge that the post-office printing should be continued to it; and Sergeant, since he has been in the office, has refused to transfer the printing from that paper. These circumstances required a full,

explicit, and candid exposition of facts, which Mr. McLean said he would immediately set about to obtain.

He said that if the printing should be transferred, he wished it might be transferred to Walsh's Gazette, and not to the Democratic Press.

I told him I did not wish to enter into any scramble of printers for official jobs, but wished the subject to be thoroughly cleared up with reference to the public interest alone. I also desired Mr. McLean to omit from his publication everything that was of a complimentary character to me. His professions and protestations, both of personal respect for me and of devotion to the Administration, were warm, reiterated, and solemn; and he repelled with vehement indignation the charge of being hostile to the Administration.

I told him that my confidence in him had been unqualified; that of my satisfaction with the performance of his duties I had given evidence in more than one communication to Congress, and that I had adhered to him under frequent representations of circumstances of unpleasant character, but which I had not thought it necessary even to notice. I still confided in him, but thought he himself might in this affair have been misled, and hoped it would ultimately be satisfactorily explained.

Mr. Webster spoke to me of the Tariff bill, which, he said, would probably depend upon his and his colleague, Silsbee's, votes, and he expressed some doubt how he should vote. I mentioned to him the call of the Senate in their Executive capacity for a return from the Secretary of War of all the Inspector-General's returns for the last seven years, and my doubts of the constitutionality of such a call; these returns being, in my opinion, made to the President in his capacity of Commander-in-chief of the army, and the Senate not being his constitutional council in that capacity. He said the call had been offered by General Barnard, Senator from Pennsylvania; he believed without ill intention; but he would enquire further into the matter.

8th. Mr. Whittlesey, a member from Ohio, came with a Mr. Thorn, also from that State. Mr. Whittlesey told me that he

had been informed by Mr. Burch that Mr. Jefferson, while President, had published at his own expense, and caused to be distributed to each member of Congress, a pamphlet giving an account of the proceedings of the Government in the case of Burr's conspiracy, and in which he mentioned the employment of John Graham as a secret and confidential agent. He asked me if I had a copy of that pamphlet. I had never heard of it before, and said I believed Mr. Burch must have been mistaken. There was an inofficial pamphlet, said to have been compiled under Mr. Jefferson's directions, at the Department of State, by Jacob Wagner, and distributed among the members of Congress in 1803, and an anonymous examination of the British doctrines relating to neutral trade, written by Mr. Madison, then Secretary of State, and communicated in the same manner; but I have no knowledge of any such pamphlet as that mentioned by Mr. Burch.

Mr. Brent was here just after Mr. Whittlesey, and had never heard of this pamphlet.

Governor Barbour and Mr. Rush were here, and I spoke to them of the Postmaster-General's statement and the recent appointment of Postmaster at Philadelphia. Governor Barbour is highly exasperated at the conduct of Mr. McLean, and earnestly advised his removal. Mr. Rush had not read the article in the Democratic Press, and was more cool. I received a letter from Mr. Clay, at Philadelphia, also advising the removal of Mr. McLean. Governor Barbour spoke also of the approaching report of the Retrenchment Committee, which, as was to be foreseen, will be a violent and inflammatory electioneering pamphlet.

Mr. J. W. Taylor was here this evening, and declared himself entirely satisfied with the nomination of John Savage, now Chief Justice of the State of New York, to be Treasurer of the United States.

I told him that my own inclination would have been to nominate him, but that a consideration of all the circumstances belonging to the case had led me to the conclusion that Mr. Savage was the person whom I ought to present to the Senate. He approved the nomination fully, and said he had not desired

that his name should for a moment stand in the way of the cause to which he was devoted. He also mentioned the vote in the House of Representatives this day for the passage to the third reading of a bill authorizing the subscription of one million of dollars in five annual instalments to the stock of the Chesapeake and Ohio Canal. It passed by the unexpected majority of forty-four votes, and was very gratifying to the inhabitants of the District.

10th. Mr. Marks, a Senator from Pennsylvania, showed me a letter that he had received from an editor of a newspaper in the western part of Pennsylvania, mentioning reports circulated industriously there, that my wife was an Englishwoman, and others of a similar character, but the more readily believed for their absurdity. Mr. Marks asked me to mention so much of the facts as would enable him to deny these ridiculous tales. I told him that I was married in London; that my wife was the daughter of Joshua Johnson, a native of Maryland, then Consul of the United States at London, and brother of Thomas Johnson, a member of the Congress of 1774, first Governor of Maryland after the Revolution, and appointed by General Washington a Judge of the Supreme Court of the United States; with all which information Mr. Marks was much gratified. Mr. Thomas, a Senator from Illinois, spoke upon the subject of the Tariff bill, now before the Senate, and upon which they have sat yesterday, and this day till near ten at night. Thomas is now satisfied that the bill will pass the Senate. He spoke also of the Postmaster-General, and thought his removal would have an unfavorable effect upon the Administration. He said there was an opinion abroad that he was unfriendly to the Administration, and that he had himself mentioned this to Mr. McLean, who had declared to him in the most solemn manner that it was not so. He has also made time after time the same protestations to me. But I cannot be blind to the observation that his conduct has not always been conformable to his professions; and in this last appointment of a Postmaster at Philadelphia it has been strongly marked with duplicity, or with weak subserviency to the bitterest and most unprincipled enemies not only of the Administration but of myself.

I mentioned to Mr. Daniel Brent the wish to see Mr. Abraham Bradley, the first Assistant Postmaster-General; and he came. I made some enquiries of him respecting the recent appointment of a Postmaster at Philadelphia. It appears that eighteen months or two years since, when there was a prospect that it would be necessary to dismiss Bache, Mr. McLean had indicated an intention to appoint Norvell or T. Sergeant in his place. Norvell was the ostensible editor and proprietor of the Franklin Gazette, and Ingham an endorser upon his protested paper.

Mr. Bradley said that for the last eighteen months he had time after time spoken to the Postmaster-General of Bache's increasing delinquencies; that in February he (Bradley) had written to Bache, urging to him the indispensable necessity of bringing up his arrears, to which Bache had answered that he would very shortly; that in March Bradley wrote again, to which George M. Dallas answered by a letter to the Postmaster-General himself, which Bradley has not seen; immediately upon the receipt of which Mr. McLean saw Mr. Ingham, then Mr. John Sergeant, and then me. Mr. Bradley intimated that Bache's visit here last summer, by satisfying Mr. McLean with regard to his politics, had very much mitigated McLean's severity with regard to his delinquencies. He thinks McLean decidedly hostile to the Administration, but he has no distinct knowledge of Ingham's or T. Sergeant's pecuniary interest in the Franklin Gazette.

11th. I had a visit from Mr. Edward Ingersoll, of Philadelphia. He spoke of the late appointment of Postmaster at Philadelphia, and of its pernicious effect upon the friends of the Administration. But his own opinions upon this occurrence were very moderate, and he thought the excitement upon the subject in Philadelphia had much subsided. He says that Mr. McLean did write, nearly two years since, that in the event of his removing Bache he proposed to appoint Norvell or T. Sergeant; that on the recent sale of the Franklin Gazette, Norvell did guarantee to the paper the continuance of the post-office printing, and that this guarantee was an element in the price of the purchase; that Ingham is an endorser upon

Norvell's protested notes, and in the event of the failure of the guarantee will be compelled to pay for Norvell's insolvency; that Ingham is, or has been, interested as a proprietor of the Franklin Gazette, and furnished the paper for it from his own manufactory; that the general opinion is that Bache's delinquency is large, and that he has no effective bondsmen. Ingersoll had never heard that T. Sergeant was part proprietor of the Franklin Gazette, but he has been heavily ransomed as surety or endorser for Bache.

12th. I found in the southern seedling-bed twenty-one chestnuts up of a row of fifty, and thirty oaks of a row of fifty, planted the 20th of October last, and twenty-five black walnuts of several rows planted the 31st of October. In a seedling-pot two shoots of the turpentine plant are coming out, and in the nursery I discovered eight cork-oaks first appearing, from the Spanish acorns planted the 18th of March last. I assume, therefore, two months of the opening spring as the period of vegetation for the acorn. The cork-oak leaves of the shoot correspond exactly with the form of those in the plate of Michaux's book. Mr. Foy planted several rows of the white mulberry, and I planted twenty rows of shellbarks, pignuts, black walnuts, and cork-oak acorns, in the nursery, westward of the row of transplanted cherries.

Governor Barbour was here, and had a long conversation with me upon the desire that he has conceived of going as Minister to Great Britain. He said it had been suggested to him by some of his friends, and had not first occurred to himself; and he emphatically requested that his name might not for a single moment occasion the slightest embarrassment to me.

I told him frankly my own feelings and difficulties, and the impressions of many of our friends. I observed that some of the difficulties were clearing off, and there now remained in substance only two: one was the disappointment of a wish that I had constantly entertained, that my Administration, from the beginning to the end of its term, should be one body; the other was, the hazard of supplying his place in the Cabinet. Considerations of great moment seemed to require that the person to take his place should be a citizen of New York; but

the selection between P. B. Porter, Ambrose Spencer, and Mr. Sanford, without mentioning others, was perplexing. I should, however, in the course of a very few days decide.

He made some enquiries respecting the mode of living and expenses of a diplomatic establishment in London, which I answered conformably to my observation and experience. The prospect which was thus presented to him was not flattering. I told him it was my belief that the debt hanging so heavily upon the old age of Mr. Monroe was chiefly contracted by the expensive establishment of his household in London after his return from Spain in 1805.

He said Mr. Monroe still owed a large debt to the house of Baring, which he was utterly unable to pay.

Dr. Watkins was here, and showed me a short article that he had written for publication, relating to one of the numberless calumnies and forgeries now swarming in the newspapers against me, alleging a promise from me to Mr. Webster, at the time of the late election, to bestow offices upon federalists in reward for his support and influence—a charge trumped up in fifty different shapes, and false in all, having no other foundation than casual conversations, in which Mr. Webster and others having intimated that some federalists apprehended I should pursue a system of proscription against the federalists, I disclaimed every such disposition. Watkins said he wished to be perfectly sure of the accuracy of the facts stated in his papers, and I told him they were perfectly correct.

Sergeant read me part of a counter-report which he and Mr. Everett, the minority of the Retrenchment Committee, are preparing to be presented with the report of the majority, which will be of the most violent, inflammatory, and unjust character; full of gross misrepresentations, reckless blunders, and foul insinuations.

Mr. Parris spoke of the proceedings in relation to the North-eastern boundary as highly satisfactory to himself and to the people of the State of Maine.

I sent message to the Senate No. 33, with the treaty with the Arkansas Cherokees, a report from the Secretary of War, and documents.

I also made the following entry on the proceedings of a Court-martial on private Hiram Carmichael, 22d March, 1828, tried for mutiny, and sentenced to be shot to death: "The sentence of the Court is approved, and the penalty of being shot to death is remitted. The time of service of the prisoner having expired, let him be discharged, not with honor, from the army."

14th. Governor Barbour brought the record-book of executions by sentences of Courts-martial, and a copy of it made out for Mr. Wickliffe, the member from Kentucky, who procures it for precedents to justify General Jackson's execution of the militia-men. It appears that there are upon the record twenty-six of these executions ordered by him.

I gave Governor Barbour the memorial to Congress of the Anti-Masonic Convention at Le Roy, addressed to Congress, and which the House of Representatives, by resolution, the day before yesterday, referred to me. B. O. Tyler came, it seemed, to talk of the Anti-Masonic Le Roy Convention memorial, which gives him great concern. He is himself a Mason, and sympathizes with their troubles. Colonel King, the sutler who contrived to make his escape, was a friend, and had been a boarder at Tyler's, who thinks him entirely innocent. Tyler read me a piece which he had prepared for publication in defence of King. There were some imprudent remarks in it, which I advised him not to publish; and he said Mr. Bateman, the Senator from New Jersey, had given him the same advice.

Mr. N. B. Blunt, the messenger who went to England in March with the Conventions concluded by Mr. Gallatin with the British Government and ratified on our part, and has now returned with them and the ratifications exchanged, was here. He came from Philadelphia in company with Mr. Clay, who stopped yesterday at Baltimore, where he was received with great enthusiasm.

15th. Mr. Seymour, a Senator from Vermont, came to speak respecting the Postmaster-General, whose removal is very strenuously urged by many friends of the Administration; but Mr. Seymour observed that many of our most earnest friends were strongly adverse to it. He mentioned particularly the

Senators from Indiana, Hendricks and Noble, and Ruggles, from Ohio. They said McLean was a Methodist preacher, and that all the Methodists in the United States felt a deep interest for him; that he was popular as a man and as a public officer, and they thought his removal would have a very unpropitious effect on the cause of the Administration.

Abdel Rahman is a Moor, otherwise called Prince or Ibrahim, who has been forty years a slave in this country. He wrote, two or three years since, a letter to the Emperor of Morocco, in Arabic, in consequence of which the Emperor expressed to our Consul a wish that this man might be emancipated and sent home. His owner, residing at Natchez, Mississippi, offered to emancipate him on condition that he should be sent home by the Government of the United States; which we accordingly determined to do. He has now come on from Natchez, with his wife, and met Mr. Clay at Baltimore. He came in while Mr. Southard was with me, and we had some consultation how and when he should be dispatched to his home, which, he says, is Timbuctoo. He says he has left at Natchez five sons and eight grandchildren, one of them only four days old when he came away—all in slavery; and he wishes that they might all be emancipated, and be sent with or to him. He says he is sixty-six years of age, and assumes to have been the lawful prince of his country.

Mr. Vail, from the Department of State, brought me the proclamations of the three Conventions with Great Britain, the ratifications of which were exchanged at London the 2d of last month; which I signed.

Lieutenant Armstrong brought me the compliments of General Scott, and a long letter or manifesto of remonstrance against the appointment of Major-General Macomb. It is a repetition of the argument in his controversy with General Gaines.

Mr. Ellis, of the Senate, and Mr. Maxwell, of the House of Representatives, from the Committee of Enrolled Bills, brought me three Acts, which I signed; one of them being that for the relief of the Revolutionary officers and soldiers.

Mr. Clay was here, much recruited in health and spirits by

his recent visit to Philadelphia. Dr. Physick and Dr. Chapman advise him to a relaxation from public cares and duties, the former to retirement from public service altogether. He spoke of the dispatches received from William Beach Lawrence, our Chargé d'Affaires at London, by Mr. Blunt, the messenger, all of which he had not read; and of measures to be taken immediately upon the subject of the Northeastern boundary, particularly with regard to the demand of documents from the British Government.

16th. In riding yesterday, I had taken a sprain, which I was apprehensive would for some days disable me from continuing this exercise; but I found myself so much relieved this morning that I mounted again my pony, and rode with John to the penitentiary.

Governor Barbour has a new trouble with these Arkansas Cherokee chiefs. There was a treaty between them and the Osages, negotiated under the sanction of the United States, and by which they stipulated, in case of any cause of complaint between the two tribes, to rely for satisfaction upon the United States. Recently, a Cherokee, brother to Graves, one of the chiefs now here, has been murdered by an Osage. The Cherokees demand the punishment of the murderer, or declare their determination to apply the law of retaliation. The Osages declare they are ready to deliver up the murderer to the authority of the United States; but we have no tribunal that can try him for the murder, nor authority to deliver him up to the savage justice of the Cherokees. I thought that the demand should be made of the Osages to deliver up the offender to us, and then that we should ransom him from the revenge of the Cherokees by a payment of money to Graves, requiring him and his tribe to renounce their resentment; and this course is to be taken.

Mr. Watts, Chargé d'Affaires to the republic of Colombia, who brought to show me a number of medals struck in honor of the libertador Bolivar. Among them was one which Mr. Watts called the unfortunate—struck upon the occasion of his being proclaimed President for life of the republic then bearing his name; but since then subverted, together with the Constitution which he had given for it.

Mr. Rush read to me a letter he has received from C. J. Ingersoll, in which he says the Postmaster-General has no right to claim credit for saving to the public the three thousand dollars which R. Bache, the late Postmaster at Philadelphia, attempted fraudulently to draw from the bank after his removal from the post-office, and that the subalterns, including the Postmaster-General's confidential Agent, Simpson, did their best to let Bache consummate the fraud. I desired Mr. Rush to write immediately to Mr. Ingersoll and request a full and particular statement of the circumstances upon which he has given these intimations, and I asked him for a copy of the part of Ingersoll's letter relating to these transactions; which he afterwards sent me.

I sent message to Congress No. 12, recommending an Act to remit the discriminating duties upon Prussian vessels and their cargoes from and after the 15th of April, 1826.

The committee upon the message relating to the assault upon my son in the Capitol made this day their report to the House of Representatives, with a protest of the minority of the committee. General W. Scott was one of my visitors this day.

17th. George Watkins brought drafts of two notes from Mr. Clay—one to Mr. Gallatin and one to Mr. Lawrence, at London —upon the Northeastern Boundary Convention. I retained the draft to Mr. Gallatin.

Mr. Martindale, member of the House from New York, came, and took the papers of a Mr. Solomon, being a memorial from himself, and a multitude of earnest recommendations of him, for an appointment in the custom-house at New York. I said all the subordinate custom-house appointments were made by the Collector, sometimes at the recommendation of the Secretary of the Treasury. But Martindale said the place that Solomon had in view was that of Surveyor of the port, in the expectation that Jonathan Thompson, the present Collector, would be removed, and Peter Stagg, the present Surveyor, appointed in his place. Mr. Martindale warmly urged this measure, which, he said, would be necessary to secure the faithful execution of the new Tariff Act. The Collector, Thompson, he said, and every officer of the customs under him, with the

exception of Stagg, the Surveyor, were notoriously and vehemently opposed to the tariff and to the American policy, which it was equally notorious was favored by a great majority of the people of the State of New York. The Collector and all his subordinates were also known to be hostile to the present Administration, and their influence brought to bear against it was enormous.

I observed that Mr. Thompson professed to be friendly to the Administration, and although I had not much reason to trust his professions, yet there was no act of his known to me which would justify me in removing him from office.

Mr. Clay was here, and I suggested to him the propriety of modifying a paragraph of the draft which he had prepared of a letter to Mr. Gallatin; to which he assented. Mr. Clay had much conversation with me on the subject of the Postmaster-General, whom he urged me very earnestly to remove and to appoint Jeremiah Morrow in his place. The evidences of McLean's double-dealing, and the treachery to the cause of the Administration, have multiplied upon me till it would require the credulity of January in the tale to believe him honest or faithful. Yet I am convinced it would be extremely impolitic at this time to remove him.

Mr. Clay spoke also of the appointment of a Minister to Great Britain, and to the republic of Colombia. His proposal is, that Governor Barbour should be nominated for the mission to England, and General Peter B. Porter, of New York, to be Secretary of War in his place. He is also very solicitous that George Robertson, of Kentucky, or General Harrison, should be appointed Minister to Colombia.

My own impression is, that there is no necessity for the appointment of a Minister to Colombia, and that it would be advisable to postpone the appointment of a Minister to Great Britain, at least until the next session of Congress. I desired Mr. Clay to notify the other members of the Administration to meet here at one o'clock next Monday, to consider this subject.

Governor Barbour enquired if I had come to a decision upon the mission to Great Britain. I told him I had requested a

Cabinet consultation next Monday, preparatory to the determination. He expressed a disinclination to be present at this meeting, and I assented to his being absent. He desired that the decision might be made without regard to his wishes; and said that what I had told him of the indispensable expense of the English mission had almost dissuaded him from the undertaking of it, but that upon conversing with Mr. Rush he had concluded that with rigid economy he might get along.

Mr. Wilde, a member from Georgia, came and made some enquiries relating to the claims of citizens of that State for indemnity from Creek Indian depredations upon which, in 1822, Governor Preston, of Virginia, had acted as Commissioner. Some of these claims, particularly for interest or increase of the property lost, were rejected. The fund appropriated for payment of the claims by the treaty was not entirely absorbed by Mr. Preston's adjudications, and Mr. Wilde now, in behalf of the Georgian claimants, revives the question of interest, increase, or damages for detention. He requested a revision of the claims, and read to me extracts from two written opinions of Mr. Wirt, the Attorney-General—one in the case of these claims, in which he expresses himself very decisively against the demand of interest, and the other in the case of the Slave Indemnity Commission, where he argues with equal energy in its favor. I told Mr. Wilde that I would cheerfully give my attention to any representation which he should make in behalf of these claims.

19th. Mr. Macon, a Senator from North Carolina, came and took leave of me, saying it would perhaps not be in his power at the close of the session. Mr. Macon is the oldest member of Congress, having been without interruption in that body, House or Senate, from the year 1791 to the present day. He was for several years Speaker of the House of Representatives, and has been repeatedly elected President pro tem. of the Senate. He was again elected to that office last Thursday, but declined accepting on account of his increasing deafness. It is said to be now his intention to retire from public life, and he is not expected to attend even at the next session of Congress.

Mr. Derrick, from the Department of State, brought a draft

of a note from Mr. Clay to Mr. Vaughan. General Scott called to pay me a visit, but I had no conversation with him concerning his memorial. Mr. Joseph Blunt was here from New York. He comes as counsel for the ostensible owner of a vessel called the Bolivar, seized at New York for alleged violation of the laws of neutrality. There are complaints against her by the Spanish Minister, and the District Atttorney has libelled her. He had written that there was not evidence against her sufficient for her condemnation, and an order had been sent him in that event to abandon the prosecution and have the vessel discharged. But from a letter this day received from District Attorney John Duer, it appears that he has obtained evidence upon which he supposes the vessel may be condemned. I told Blunt I regretted that the case looked so unpropitiously to his client.

Mr. Bates, member of the House of Representatives from Missouri, had left with me voluminous papers relating to a land claim, upon which he appeals from a decision of the Commissioner of the General Land Office.

I had not yet found time to read all the papers.

Mr. Bateman, of the Senate, and Mr. Forward, of the House of Representatives, brought me fourteen Acts and one joint resolution, which I signed.

There was a Cabinet meeting, attended by Mr. Clay, Mr. Rush, and Mr. Southard, at which I presented for consideration the questions whether a Minister of Plenipotentiary rank should now be nominated for Great Britain, and for the republic of Colombia. If so, who should be nominated? I expressed my own opinion that it would be advisable to postpone both these appointments, at least until the next session of Congress. This was not, however, the opinion of any member of the Administration. They were all of opinion that it was advisable to appoint to both these offices now; that Governor Barbour was the most suitable person to be nominated for the mission to England, General Harrison, the Senator from Ohio, for the mission to Colombia, and General Peter B. Porter, Secretary of War, in the place of Governor Barbour.

My principal objection to the appointment of him was, that in the present state of affairs it would be a change of position

by the Administration very disadvantageous to them. I said it would be universally considered by friend and foe as an abandonment of the Administration by Governor Barbour, and as a surrender of the cause.

Mr. Clay made an argument to show that it might be otherwise; but it seemed to me not to be a matter of reasonable discussion, but of feeling. Then, as to the appointment of General Porter for his successor, Mr. Clay thought it would have an important political effect in conciliating the State of New York. I thought the political effect would be pernicious: we should be without a single vote in the Cabinet from the Southern section of the Union—all north of the Susquehanna River—and of the Western country only Mr. Clay. I therefore proposed Gaston, of North Carolina, and John Williams, of Tennessee, or either of them, to be considered as candidates for the office of Secretary of War.

None of them would be desired so earnestly as General Porter. Ambrose Spencer was also mentioned, but General Porter was unanimously preferred. For the mission to Colombia, General Harrison, of Ohio, and George Robertson, of Kentucky, were mentioned; and, although Robertson was believed to be on the whole the best adapted to the place, the concurrent opinion was that Harrison would be the most suitable appointment.

I mentioned the communications made to Congress in 1823 and 1824, that it would not be necessary to continue Ministers of Plenipotentiary rank in the South American States, and also the formal notification from the Colombian Government that they should keep hereafter only a Chargé d'Affaires in the United States.

Mr. Southard expressing upon this some doubt, the meeting was adjourned till to-morrow at two o'clock.

I sent message to Congress No. 12, with copies of the three Conventions with Great Britain, the ratifications of which were exchanged at London the 2d of last month.

END OF VOL. VII.

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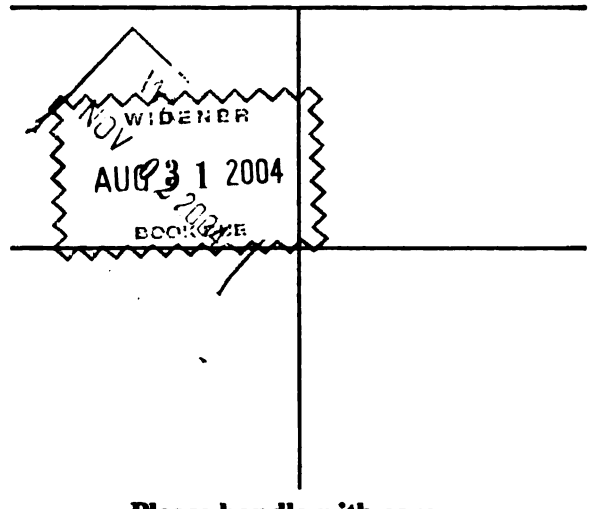

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